App F IX 4

Previous References

PH 39-51-1,2

(19 52-53 C.M.)

File No 3-52

Serial Nos 41,

Later References

P-80=E

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for Oct 52

SUBJECT

Suspension of Sri C B Channakeshava Chari - Health Inspector, Mysore city

L 10609 / 52 6-10-52

The ME Corp Mys city (through the DDB)

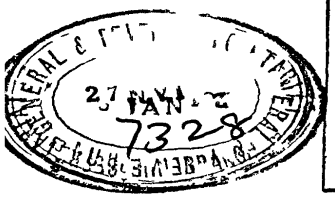
Issues certain instructions

WD 015467—GPB—25 000—12-9 51

Received/52

DEPARTMENT OF INFORMATION.

Name of Paper ಪ್ರಜಾವಾಣಿ Date 19 / 51



Office of the Minister for Local Self Government

No 227

Date

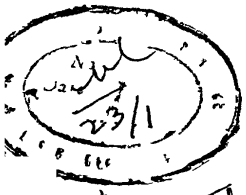
Municipal Commissioner, Mysore city, for a report immediately.

20/11/51

Minister for L.S.G.

19/1/51.

L.S.G. Secy



24/1

1) Asst Collector & Municipal Commr, Mysore city, Municipalities is putup for approval

27/11/51

M To

2) Issue

29/1

The Commissioner, ~~Corporation of the city of Bangalore~~ Municipalities

~~Chief Law Officer~~

Mysore

L 11643/51 dt 7.25

Calls for a report

L.S. D-8/1/51

8173 Ins 87245 304 MK

Petition from Prapavaran dated 19.1.51 - Arrest of a Health Inspector ex Kayts Municipal Council by PC

Proceedings

The Municipal Council Kayts by PC No 2976 dated 23-2-51 forwards the information called for

4) The Report of the Council is for perusal The police have registered a case against the Health Inspector under the Prevention of Corruption Act and he has also been placed under suspension. Further progress of the case will be watched. - Ref para 3 above

Das 23/3/51
23/3

5) For information with reference to orders at para 1

LSG Secy) MS 24/3

13458 26/3

6) for perusal

HH & SG) Mcj 14/4/51 MS 16/4

Office of the Minister for Local Government
No 36
Date 17/4/51

7) Dr 18/4/51

MR 18/4 MS 18/4

Petitions of 18.3.51 and 9.4 forwarded Health Inspector on the Minister's LSG Secretary's orders

8) LSG Secy for a note.

RC 20/4

Rec'd 18/4

8173 √8724 √304

Conception Senior Health Inspector, Mysore city

9) Under Sec 246 of the Mysore City Municipalities Act, 1933, the municipal Council shall have, undisputedly of such powers as may be delegated to him by the municipal Council, on his behalf, power without the sanction of the Council to appoint subject to the rules in force, a fit person to any post under the municipal Council, the monthly salary of which does not exceed Rs 60/- p.m

10) Under Sub Sec(C) of this said Section he can fine, reduce, suspend or dismiss the holder of any post to which the ~~municipal Council~~ he has the power to appoint

11) The Senior Health Inspector of the Mysore City Municipality has been placed under suspension on charges of corruption pending police investigation and disposal of the case the Health Inspector may represent that the authorities have, on placing him under suspension, acted in excess of their powers and therefore requests to call for the Records and order, his reinstation

12) The orders of the Commissioner would therefore be legal if the Council has delegated to him this power or the placing of the official under suspension has the approval

8173 JS724 U304

Conception Senior Health Inspector Report of the municipal Council

13) The charge against the Health Inspector is that he accepted a bribe of Rs 10/- from a fuel merchant for renewal of his licence. The officer, having regard to the small case deals as he has records which also requires proof, may not be so serious as to justify his being placed under suspension. He could as well have been granted leave immediately when the guilt was brought home to him, he could have been produced before Delhi & his Service, pay, previous Record & Service etc. are not available and if required will have to be obtained from the municipal office

14) Subs for orders

Noted
23/4/51
JM
20/4

15) 1) Call for his SR + C Roll
2) Ascertain the result in CR No 115/50-57 refer to by the P2

MS
28/4

16) Draft letter to the Old Councillor, Khyaliya etc to put up for approval

17) Issue at once & submit

Noted
5/5/51
JM

MS
5/5

To

The Municipal Commissioner Khyaliya etc with the request to see the letter dt 1092/51-52 dt 8.5.51 Calls for his Service Documents

8724 304/MI 1285/md
Corruption — Senior Health Inspector Mysore City

822/MI

18) Resubmitted after issue (para 17 supra)
DR 10/5

19) Wait for a reply till the 15th inst and send a reminder if it is not rec'd in the meanwhile
MS 12/5

Proceedings of the Municipal Council, Mysore City
No: C.R.C. 287/50 51 Dt/ 14 5.51.

Towards the Service Register and the character roll of the Health Inspector

20) It is seen from the S.R. that he was appointed by a pay of Rs 84/-, p.m. on the Senior grade of Rs 80 - 4 - 120. No adverse has been recorded on his character roll. He has however been fined Re 1/ and severely warned on March 1946 for negligence of duty and improper behaviour towards his officers (vide entry on page 9 of the S.R.)

21) Refer for perusal and orders - Rly
paras 8 and 15 of the notes
Mys 23/5/51

22) further report - re the result of the case registered against the official may be awaited
Refer para 8 of 15 above
L S G Secy 23/5

23) Paras 9 to 13 explain the facts of the case in full
MS 28/5

No. 1963 U2 2915 I S G Dist

24) On on of his application (dated 1/5/51 flagged A) the official has alleged that the Comm had no power to place him under Suspension this may be

1235/ml, U2049/ml

Corruption - Senior Health Inspector of the Mysore City Municipality -

Perused by Referring the enclosed petition for the Remarks of the Municipal Comm^r

Do & proposed to keep him under Mgt 5/6/51

Suspension till the case is decided ? Nob MS 5/6

25) Draft Called for the Municipal Commissioner, Mysore City & put up for approval 7/6/51 MS

26) Issued MS 8/6

To The Municipal Commissioner Mysore City Municipality - thro the presidents L 2327/51-52 dt 14 6 51 returning the original representation for necessary action

Gus.A 10/6

Earlier Representation dated 7.6.51 from the Health Inspector addressed to the Hon'ble Minister for L S G on the subject -

27) Earlier Report has been Called for from the Municipal Commissioner, Mysore City and the Receipt of the same duly acknowledged 28/

Gus.A 29/6

Clerk 27/6/51

28/6

acu49/mc J2397

Corruption - Sewer Health Inspector of the Mysore City Municipality

—

From

The Municipal Council Mysore city
No. C&E 287/50-51 Dt 3.7.51

Requests the information called for,

29) The Report of the Commissioner is for perusal

30) Under the Rules framed in force relating to appointment, punishment and grant of leave framed under Sec 49 of the city Municipalities Act and approved by the Govt, the respondent (then Appeal) was given the power to appoint, suspend, fine (reduce or dismiss any municipal officer or servant other than the chief officer, Health officer or the Municipal Engineer. Govt

31) Under Sec 246 of the Act when a municipal Council empowered by any of the provisions of this Act or by any Rule laws made thereunder to authorise any officer to exercise any power whatever or to do any thing has so authorised any officer it shall be deemed so to have authorised the Municipal Council notwithstanding that it has not expressly so authorised them

32) The Council therefore argues that

Corruption Senior Health Inspector of the Mysore Municipality —

The two Govt Read together should be construed as authorising them to exercise the powers of the president under the Rules Referred to above

33) The Commissioner's appointment cannot be held to correspond to that of the previous Official president, The authorisation contemplated u/s 246 of the Act appears in the context to refer to powers which any Contemporary Officer may be authorised to exercise, the idea apparently being that no Officer of the municipality should enjoy a power (delegated) which the Commissioner as the highest executive authority cannot exercise The powers exercised by the previous Official president under a delegation of the Rules cannot therefore apply ipso-facto applicable to the Commissioner. By virtue of the provision of Sec 246 as held by the Commissioner, the Council has not given the Commissioner any Special powers other than this.

34) With the Coming in of the non-Official president the Set up of the Council has to a great extent changed. The power under the Rules are only exercisable by the president whether Official or non-Official and not the Commissioner The Council has Executive action of the Commissioner by the Resolution dated 2 3/1

35) Legal aspects apart it has also to be considered whether the gravity of the alleged offence justifies placing the Official under Suspension for an indefinite

2019/ml 5397

Corruption – Sewer Health Inspector of the Mysore City Municipality

—

From

The Municipal Council, Mysore city
no C.-e 287/60-51 Dt 3.7.51

Furnishes the information called for

29) The Report of the Commissioner is for perusal

30) under the Rules framed in force relating to appointment, punishment and grant of leave framed under Sec 49 of the city Municipalities Act and approved by the Govt, the respondent (Then Appeal) was given the power to appoint, suspend, fine reduce or dismiss any municipal officer or Servant other than the chief officer Health officer or the Municipal Engineer Govt

31) Under Sec 246 of the Act when a municipal Council empowered by any of the provisions of this Act or by any Bye laws made thereunder to authorise an officer to exercise any power whatever or to do anything has so authorised any officer it shall be deemed so to have authorised the municipal Council ordinarily standing that it has not expressly so authorised them

32) The Council therefore argues that

Corruption Senior Health Inspector of the Mysore city Municipality —

the two Govt Read together should be construed as authorising either to exercise the powers of the president from out the Rules Referred to above

33) The Commissioner's appointment cannot be held to correspond to that of the previous official president, the authorisation contemplated as see 246 of the Act appears in the context to refer to powers which any contemporary officer may be authorised to exercise, the idea apparently being that no officer of the municipality should enjoy a power (delegated) which the Commissioner as the highest executive authority cannot exercise The powers exercised by the previous official president under a delegation in the Rules cannot therefore apply ipso-facto applicable to the Commissioner. By virtue of the provision of see 246 as held the Commissioner the Council has not been invested under any special powers other than this.

34) With the Coming into of the non-official president the Set up of the Council has to a great extent changed the power under the Rules are only exercisable by the president whether official or non-official and not the Commissioner the Council has Entered action of the concur of the Govt dated 7 2 51

35) Legal aspects apart it has also to be considered whether the gravity of the alleged offence justifies placing the official under suspension for an indefinite

2397/ml

Corruption. Senior Health Inspector of the Bangalore City Municipality

period The charge against the Health Inspector is that of accepting a bribe of Rs 10/- from a food licensee which has yet to be proved The Govt however feels that it is not desirable to permit him to work in the city till the case against him is decided He may perhaps be granted such leave as he may be entitled to await the disposal of the case

36) Subs for orders - Ref para 24.

Rep 13/7/51 The Hd Commissioner has stated that he has nominated the Asstt P H. in his letter dated 16.4.51, that he has no objection to the appellant being restored to the Public Health Service from which he was taken on a loan basis, to the Mysore City Municipality The Asstt P.H. may be requested to take back the appellant for duty in the P H. Deptt. pending final disposal of the Criminal case against the appellant

38) Leg Sec) 2/7 CS/7

BR 13/7

39) Is not this case covered by GO No FE 2292-93/S&A 59-51-9 dated 11/7/51

No 419 Date 1951

Collumpton - Senior Health Inspector of the Mysore City Municipality

2397/III

2397/III

published on page 403 of Part III-1 of Mysore Gazette dated 19/5/

DG 22/7

DG 23/7

40) perhaps the above amendment refers to periods under detention in custody or after undergoing imprisonment in this case the appeal is at large and it is not certain whether this Rule applies to the present case The Revenue Dept may be ~~to be pointed~~ clarified

Regd 27/6/5, Bir

41) Leg Secy) DG 30/7

42) Pl Bring with the Gazette My impression is that the Co clearly mentions periods on bail also

DG 31/7

No 11673 Date 31/7 I S O EQUIPMENT S

43) C W please take DG

44) Subject to person will be charged, Regd 4/8/5,

45) Here Commr places the Govt under suspension only after the Govt was arrested. In this the Commr had no discretion and even if he had no

2397
/41 Corruption - Senior Health Inspector of the Mysore Municipality

explicit authority to place a senior 1783
H I under suspension. His action
has to be ratified

46) There can be no question of the Off being taken to duty anywhere until the case against him is disposed of, as the charges against him are serious and relate to his conduct in the course of discharge of his duties as a public Servant. A ~~Case~~ Case for a cognizable offence has been regd against the Off & is under investigation by the Police.

47) For favour of remarks

Law Secy)

RG
4/8

- 4 AUG 1951

COV

48) Law to examine the powers of the Govt to prescribe Off under suspension

MM
4/8

47 If approved the ad-hoc will be appointed to readily make available a copy of the Inq. Govt. request to also submit a

50) Asst Secy (Munich)

NM
6/8

MS 6/8

GENERAL & REVENUE SECRETARIAT
7 AUG 1951
JUDICIAL & PAL BRANCH

2397

1952

Compton - Senior Health Officer Inspector of the Thyme City - Smith

51) A Copy of the Thyme City Municipal Rules and Bye laws as printed and the Section referred to as Appendix G thereto may be sent to Law Branch (Para 49 above refers)

Has G

9/9

52) Under Secretary Law Branch 14/8/57

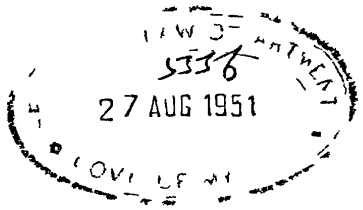
WS 14/8

53) Kind reference to the Law Dept note in para 48 —

By reason of sec 245-(1) read with sec 246 (c) of the Thyme City Municipalities Act 1933, the Commissioner has the power, subject to the rules for the time being in force, to dispose of all questions relating to the service and pay and privileges of all officers and servants of the municipal council under bye-law 6 (a), the president had the power to fine, suspend or reduce any municipal officer or servant other than the Chief Officer, a Health Officer and Municipal Engineer [it was only in cases where the action extended to appointment or dismissal of an officer or servant on a pay of £6 0 0 and upwards, that such action was subject to confirmation by the Municipal Council] This power of the president so to punish, has been delegated to the municipal commissioner, by reason of sec 246 of the Act. Therefore, in the present case, the municipal commissioner was legally competent

1952 | U
Suspension of health inspector - Power of ... from or ...

to place the official under suspension.



Lawyers notice

54) A careful examination of the various sections in the City Municipalities Act, 1933 as well as the Rules & Bye-laws of the Mysore City Municipality indicate that the word officer in sec 246 does not include the President himself - For instance, sec 49 (b) (i) deals with delegation of powers to a President, Vice Prest, Chairman, chief officer of M' Corp sec 49 (b) (ii) as well as (c) to (f). & refer to officers & it is clear that this cannot include President etc" mentioned in cl (b) (i)

55) Again sections 245 to 248 deal with powers of the M' Corp - Sec 245 (1) refers to the powers of the President under certain clauses of sec 249 & says that these powers may be exercised by the M' Corp under sec 49(b)(ii) If all the powers delegated to a President] are to be deemed to have been delegated to the M' Corp also under sec 246, there was no need for any provision being made in sec 49 (b) (i) about delegation of powers to the M' Corp as distinct from the President

:6) In my opinion the word "officers" in sec 246 refers to officers of the Municipality as distinct from the President, Vice President, or Councillors of a Municipality - The view on this point expressed in para 33 appears to be correct — It therefore follows that unless there is a specific delegation of powers to suspend officers other than those mentioned in sec 246, it is this section that governs the powers of the M' Com' in the matter of suspensions and other punishments - The contrary view expressed in the M' Com's letter of 23/3/57 cannot in my opinion be accepted

The point so far as the present case is concerned does not appear to be however sufficient to say that the act of the M' Com' in suspending the Health Inspector Sri De Chan is ultra vires as this case is legally unsupportable - The suspension was on account of the appeal being entertained by Council & the Case of Coriatorum The M' Com' placed the orders he had made before the Council & the Council by resolving & acquiesced & approved it & This may be viewed as ratification & the M' Com' cannot therefore make

Suspension of the Health Inspector - Mysore City Municipality - Powers of the Commissioner

1952

Much of the technical point he has raised. This is a case in which the Inspector's order has to be supported, at least till the prosecution against him is decided one way or the other - If he is ultimately found not guilty, the Inspector's order must automatically go, with the result that the official gets reinstated, but not otherwise —

(Secy to Govt)

28/8

29/8

29/8

A | 58) If approved the appeal memo may be endorsed thereon. The effect will be that he cannot be taken on duty, till the prosecution against him is decided one way or the other.

B | 59) In view of the opinion expressed by the Law Secretary at para 56 above, it is for consideration and orders if a suggestion may be made to amend the Rules relating to appointment, punishment and Part V of Chapter II under Sec 49 of the Municipalities Act so as to delegate to the Commissioner, the powers which at present the President of the Municipal Council has given in the matter of suspension and such other punishments, etc.

60) A (Para 58) may be approved.

(Secy to Govt)

31/8/57

1/9/57

2397/mi

Suspension of the Health Officer Inspector - Mysore City Municipality — powers of the Commissioner —

61) 'A' & 'B' may be approved 'B' will be in a confl DO to the Pvendent.

Jun LSG)

62) 12/9/51

13/9

3/8

3/9/51

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 2903
Date 6/9/51

Rec 18/9

63) Off Endorsement to the Health Inspector (under Suspension) and draft DO letter to the Municipal Pvendent for approval

No 6639
Date 18/9

Rec 15/9/51

64) 1) The endorsement may issue
2) The DO letter may kindly be approved

Secy LSG) 17/9/51

65) Issue

19/9

To

Sri C B Channakeshava Chary
Sr Health Inspector
Mysore

L-6589 dated 21-9 51

Endorsement — regrets his request and informs that he must be under suspension till the case is finally disposed of

2397/Vol Suspension of the Health Inspector - Mysore city Municipality — Powers of the — Commissioner

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To copies to

1) H C commissioner Mysore city (thro Pdl)

2) The D P H Bangalore.

L. b 590-1/dated 21-9 57

II To The president (Confidence) Mysore city Municipal council Mysore

L b 592/dated 21-9 57

66) Submitted with a draft letter returning the SR & the character Book

57/52

57.1.52

67) Issue

57.1.52

Please Return with a Cover letter the SR and character Book of the Municipal Co - 21/12/57

To

The H C comm Mysore city (thro the Pdl)

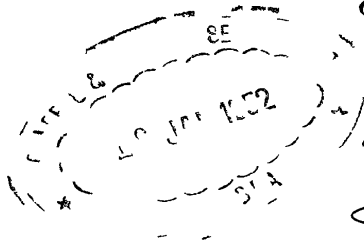
L 11206/Encl SR and Character Book dated 9-1-58

2397/ml 5644/ml

Suspension of Sri C B Chandrashekhar, Senior Health Inspector, Mysore city Municipality

6595
F7

Proceedings



The Municipal Commissioner, Mysore city Rly No C8 C 2397/50-51 Dt 5/1/52

Harassment & further Report in the matter

68) It is seen from the Commissioner's letter that the Competent order have issued in this case one from the Health Branch and the other from the Medical Branch

69) The suspension was on account of the official having arrested the Corruption while working in the Municipality The Medical Secretariat before issuing orders to take the Official on duty, Should have consulted the H S & Department

70) The Medical Branch may be requested to put up papers leading to the issue of order no M. 15420/D & 39-51-2 dated 26/4/51 for reference

Agr 15/1/52 71) Medical Branch to please put up collections leading to issue of orders noted in para 70

Sr 15/1/52

Asst Secy Medical) 16/1/52 Sec 16/1

Sri ACA 17/1

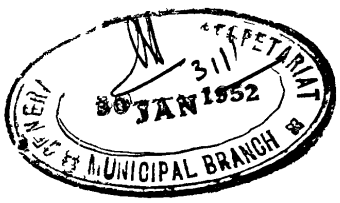
Submission for CB Chamarajendra
for Health Inspector 6.9.95 6/9/95

Subs

2) The required collection has been sent to the Govt Records on 21/11/94 & the same may be obtained from the Records.

3) With this information this may be returned to HI Branch Ref para 1 above

22/1/96 sd/- Por)



4) Collection Register 39-5, (SCs 1852) is put up and the orders issued from the Medical Branch is flagged 'T' At the time the offence is alleged to have been committed, the Health Inspection was working in the corporation municipality. The H S G Dept should have therefore been consulted at the appropriate stage before Sabaneesa on file to the Commissioner Necessity Concerned Because this was not done, two conflicting orders have issued - one from the H S G. Dept and the other from the Medical Department - on the same subject

5) Subs for perusal and orders

Case 4/2/96 From the collections leading to the SDA 6/2/96 order of restoring the appeal with instructions to post them to any place outside the city of Mysore, it is seen that Govt

6470/p1 Sri CB. Channakeshavacharya — Senior Health Inspector — Matter Suspension

have observed that from the evidence available on the records it is not necessary to prosecute the official & that the evidence is conflicting & hence the period of Suspension may be treated as leave with allowances

Secy LSG) 4/2/152

2) In this case the same subject has been dealt with in two different Seats through the proceedings relates to the charges against a Health Insp employed by the Municipality, and the 4th Commr initiated the proceedings, neither the Hon Pun LSG nor the Secy LSG was informed & the orders issued from the Hd & PH Seat to drop further proceedings against the Off

3) It is for the authority ordering Pen Statement & the Off to decide how the period of Suspension has to be treated Before a decision is

6470 Suspension of Sri C.B. Channakeshava Chary
ME 5744 3/ml Health Inspector — Under suspension

7225.

taken on this point, it is necessary to clarify the previous orders are tantamount to declaring the Govt as fully exonerated of all the charges against him. Or they are merely to the effect that no prosecution need be launched as the evidence is not conclusive Paras 15 to 20 of PH file No 39-51 do not indicate any definite decision not to take Departmental action also against the Govt the treatment of the period of suspension will depend on the decision whether departmental action should be taken or not

Hon LSG
2
Hon Rev
This
Secy Med & PH

ICS
8/2
8/2

SECRETARY TO GOVERNMENT
5915
9 FEB 1952
MEDICAL AND PUBLIC HEALTH DEPT.

Extract of opinion recorded by the Hon'ble Secy on the Secretary Dis. 2851/H. (G6420 5744 3/ml)

7) "The orders of the previous Revenue Minister is to the effect that the evidence against the party is correctable

Serial No

80) In these circumstances, he may be declared as fell, his increments sanctioned and leave at his credit sanctioned for the period he was under suspension please see Coarse file No. 15430 of 26.11.51

(Sd) G N
3.9.52

Orders of the L.S.G Members

81) I agree with the above Proposal

(Sd) T C
6 9 52

82) The file containing the above orders is linked herewith

83) A draft letter to the Municipal Comrs, Mysore City Municipality and Copy to the Dpty Dir for approval

MGS
22/9/52

Dy Secy
23/9

To

The Hl Comrs
Mysore city
(Thro the Dpty Dir)

L 10609/dated 6 10 52
C R 3-52 Hz
Issues certain instructions

Dy Secy
16/10/52

This file may be referred to the Med Branch to take up these files and return

JRR
9/10

Asst Secy
Med)

Dy Secy
13/10

Dy Secy
18/10

Dy Secy
11/10

Contn Sheet

27/1/51 1000

Dy Secy
29/10/52

Transferred to Sri CB. Channabasavachary

File No 7HH3/14 CM3-5221/F of 19

General and Revenue Secretariat

Serial No

8b) The Asst Secy MC Br has raised a query in the linked file that has to be answered by the MC Br. After this is done this will be returned to MC Br for answering the query & returning the PH Section file only Ref para 8a above

16/12/14 Asst Secy (Municipal) Sd/- Illegible

The query in the linked file has been answered in the file. The connected file pertaining to Head Br may be taken

24/12/14 Sd/- 24/12

Asst Secy Head (illegible)

The PH file bearing (No 285) is disposed & retained in the Branch. This may be returned to MC Br as desired

29/12/14 Asst Secy (Municipal) Sd/- 30/12

B-after file Reopening 7/4/15

8a 13/11/15

R S App F G 3]

GENERAL AND REVENUE SECRETARIAT

(~~Continuation sheet draft form~~)

No L 11643/G 7/2/51

To

The Commissioner
Mysore City Municipality
(through the President)

Sir,

I am directed to forward herewith a covering letter "Prajavani" dated 19 1 1951 publishing an article about a Sewer Health hazard of the Mysore City Municipality has been arrested by the police on charges of Corruption etc and to request that a detailed Report on the matter may be furnished immediately.

The enclosure may be returned with your Reply.

Yours faithfully
M S
for Secretary to Government

27/1/51

WD 06072—GPB—25 000—21-6-49

Confidential

No pe 2976
Encls 2

CITY MUNICIPAL COUNCIL

Mysore Dated 23rd February, 1951

FROM C pe · 3-52-91

THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
MYSORE

To Sri, M S Swaminathan, M.A., B Sc,
The Secretary to Government,
Local Self-Government Department,
Bangalore

(Through the President)

GENERAL & PEVEL SECRETARIAT 8173 12 MAR 1951 JUDICIAL BRANCH

6/2/51 27/2

7328

Sir,

With reference to your letter No 11643-E dated 7-2-1951 enclosing a cutting from Prajavani regarding the arrest of a Senior Health Inspector of the Mysore City Municipality by the police on charges of corruption and calling for a report thereon, I write to state as follows -

Sri C B Channakeshavacharya was working as Senior Health Inspector in Fort and Nazarbad Mohallas I had heard complaints that this Inspector was asking for illegal gratification from hotel-keepers and traders in those mohallas Sri S Linganna, President, and Sri A Krishnamurthy Rao, the Vice-President of the Municipal Council, who are representatives of Fort and Nazarbad Mohallas, had also informed me that this Health Inspector was corrupt and had been harrasing people in the mohalla However, as no specific and concrete evidence of the allegations was forthcoming, no disciplianary action could be taken and he was transferred from Fort and Nazarbad Mohallas to Chamaraja Mohallas

On the 13th January 1951, the Health Officer of the Mysore City Municipality informed me that one Sri M V Narayana Rao, Proprietor of a fuel depot in D Subbiah road, Mysore, had complained that the Senior Health Inspector had asked him to pay Rs 10/- as illegal gratification for getting his fuel depot license restored

In the month of December 1950/during the inspection of Chamaraja Mohalla, the Health Officer had ordered that the license of Sri Narayana Rao be withdrawn for having encroached on the drain and that he may be prosecuted A notice was issued by the Health Officer to the party withdrawing the license and subsequently a charge sheet was prepared and sent to me for signature for prosecuting the party for running the depot without a license As the Health Officer is not empowered to issue final orders suspending or cancelling licenses, I felt that the case would not stand in a Court of Law and therefore instructed that a fresh notice may be issued under my authority In the meanwhile the Health Inspector reported to the Health Officer that the licensee had removed the encroachment and that the license may be renewed On the report of the Health Inspector and after verification the Health Officer ordered that the license may be restored Sri Narayana Rao has informed the Health Officer that the Health Inspector promised to obtain orders of the Health Officer very early to restore the license and demanded Rs 10/- from him The Health Officer reported to me that Sri Narayana Rao was prepared to offer a marked currency note to the Health Inspector so that he could be caught redhanded and that arrangements would be made to give a note initialled by the Municipal Engineer to Sri Narayana Rao to be offered to the Health Inspector and that the District Superintendent of Police, Mysore District, had promised to post an officer to catch the Health Inspector red-handed at the time of receiving the bribe

On the 16th January 1951 I received a report from the Health Officer stating that he had been informed by the police that the Health Inspector had accepted the marked currency note in the premises of the Municipal offices on the evening of 15th January 1951 and that the Health Inspector was caught redhanded when he handed the note to the Proprietor of the Municipal canteen where the Health Inspector and Sri Narayana Rao took

some refreshments together, and that the police had arrested the Health Inspector after drawing up a mahazar On 16-1-1951 the Health Inspector sent a representation to the Health Officer pleading that he was innocent On the 19th Jan 1951 I received from the District Superintendent of Police a copy of a report from the Inspector of Police 'B' Division, regarding the arrest of the Health Inspector On receipt of the police report, I ordered that as the Health Inspector had been arrested in connection with a serious offence, he may be kept under suspension pending completion of the investigation of the case

Copies of the Health Officer's reports dated 13-1-51 and 16-1-51, the police report dated 15-1-51 received from the Dist Superintendent of Police on 19-1-51 are enclosed herewith for reference

The cutting from Prajavani received with your letter under reference is returned herewith

Yours faithfully,

Municipal Commissioner

Forwarded with Compliments

T Narasimha Iyengar

President,

Mysore City Municipal Council

23/1/51

SNR

Report dated 13-1-1951 from the Health Officer, City Municipal Council, Mysore

---

It is reported that Mr Channakeshavacharya, Sr Health Inspector of Chamaraja Mohalla has been demanding money from the licensees in his mohalla Mr Narayanarao, Proprietor of a fuel depot, D Subbiah road, complained to me that the Senior Health Inspector has asked him to pay Rs 10/- as illegal gratification and that he is prepared to offer a note duly marked by any responsible officer to the Senior Health Inspector I have therefore arranged to get a ten rupee note bearing No A/21 998988 initialled by the Municipal Engineer to-day and requested the party to offer it on Monday the 15th inst at about 10 a m I have informed the D S P also and he promised to post an officer to catch the Sr Health Inspector redhanded

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Report dated 16-1-51 from the Health Officer, City Municipal Council, Mysore

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Last night 15-1-1951 at about 7-30 p m two inspectors of police and a sub-inspector came to my office and informed me that a Health Inspector was being watched for over 48 hrs on information received that the Health Inspector was receiving bribes from several of the license holders and that a ten rupee note marked by the Municipal Engineer was offered by a party that evening in the premises of the Municipal offices and that the note was accepted by the Health Inspector The Police Inspector stated that the Health Inspector and the party who offered the bribe had some refreshments in the Municipal canteen that evening and that the Health Inspector offered the note to the Proprietor and that the Police Officers who were tracking the Inspector were also present in the canteen where the note was given by the Inspector to the Proprietor and caught him red handed The police Inspector further stated that the party was questioned ~~to~~ and a mahazar drawn up and that the Inspector was arrested

Submitted

On the evening of 16-1-1951 at about 5-15 p m I received telephone message from Sub Inspector Sri Adinarayana Gowda of Crime Branch, Mysore from the Municipal office to the effect that one Sri C B Channakeshagacharya, Senior Health Inspector of the Mysore City Municipality, who was found in the act of receiving illegal gratification from one C N Narayanarao, was caught by him red-handed etc I immediately proceeded to the Municipal office and made enquiries and took the said Sri Channakeshavacharya to K R Police Station and after receipt of the complaint from Sri Adinarayana Gowda, I registered a case in Krishnaraja Police Station Crime No 115/50-51 under Sec 161 I P C. and 3 of the prevention of corruption Act 1948 The accused was arrested and released on bail and the ten rupee currency note concerned in the case subjected to property form

I have taken up the investigation of this case and the progress of the case will be duly reported through C Ds

Sd K Andiyappa,
Police Inspector-B Division,
Mysore city

No IC 1502/50-51 Dated Office of the
District Superintendent of Police,
Mysore District, Dated 19-1-1951

Copy forwarded with compliments to the Municipal Commissioner, Mysore Dist for information

Sd K S Krishnamurthy,
Dist Suptd of Police,
Mysore District

Copy

Municipal Commissioner

snr

OFFICE OF THE CHIEF MINISTER
Pln 1723.
19 MAR 1951
OF MYSORE

GENERAL & POLITICAL SECRETARIAT
8724
28 MAR 1951
& MUNICIPAL BRANCH

To

The Director of Public Health
in Mysore,
Sheshadri Road, Bangalore

Petitioner - C R Channakeshavachary
Sr Health Inspector (under suspension),
No 60 Model House, Main 4th Agrahar,
Mysore

Office of the Minister for Local Self Government.
No 2391
Date 21/3/51

Subject Appeal against the order of suspension by the Health Officer, City Municipal Council Mysore No H I P R 313 of 50-51 dated 24-1-1951

I the petitioner, beg to submit that in obedience to the above order I handed over charge on the after noon of 24-1-51 and subsequently I have submitted several application to the Health Officer, City Municipal Council, Mysore on different dates i e 16-1-51, 2-2-51, 20-2-51, 28-2-51 and 17-3-51, setforthing the actual facts of the case and requesting to restore the post or to grant leave with allowance But neither of my applications were taken to consideration nor an endorsement granted to me to that effect

In this connection I beg to submit that the Health Officer or the Municipal Commissioner, City Municipal Council, Mysore have no powers to suspend enter or punish an employee drawing Rs 60/- and above as per City Municipal regulation section 248 and Chapter VI (a) and (b) of the Mysore City Municipalities Act and Bylaw In spite of this I have carried out the orders of my immediate superior in handing over charge, and I am under suspension for the last two months I am a family man and I have to maintain 7 souls who are all depending upon me

Therefore, as I have come in the establishment of your Department and as a direct subordinate to you, I request your learned self to kindly call for the records of my case and consider favourably in ordering for the restoration of my post at an early date For which act of sympathy I shall ever remain grateful to you, Sir

C R Channakeshavachary

Dated 17th March 1951 Petitioner

PTO

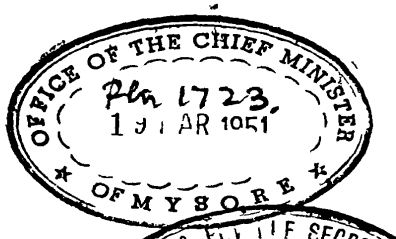
ರಾಜಧಾನಿಯ ಸೀನಿಯರ್ ಸ್ಯಾನಿಟರಿ ಇನ್ಸ್ಪೆಕ್ಟರ್ ಬಂಧನ

ಲಂಚ ಪಡೆದ ಆಪಾದನೆ

ಮೈಸೂರು ಜ೧೬–ಇಲ್ಲಿನ ಡಿ ಸುಬ್ಬಯ್ಯಾರಸ್ತೆಯಲ್ಲಿರುವ ಇಡ್ಲಿಯ ಮತ್ತು ಸೌದೆ ಅಂಗಡಿ ಮಾಲೀಕರಾದ ಶ್ರೀ ನಾರಾಯಣರಾಯರಿಂದ ೧೦ ರೂಗಳ ಲಂಚವನ್ನು ಪಡೆದ ಆಪಾದನೆಯಮೇಲೆ ಸೀನಿಯರ್ ಸ್ಯಾನಿಟರಿ ಇನ್ಸ್ಪೆಕ್ಟರಾದ ಶ್ರೀ ಚೆನ್ನಕೇಶವಾಚಾರಿಯೆಂಬುವರನ್ನು ಇನ್ನೆ ಸಂಜೆ ರಾಜಧಾನಿಯ ಪೊಲೀಸರು ನೋಟಿನ ಸವೇತ ಪುರಸಭಾ ಭವನದ ಹೋಟೆಲಿನಲ್ಲಿ ದಸ್ತಗಿರಿ ಮಾಡಿ, ಕೃಷ್ಣರಾಜಾ ಪೋಲೀಸ್ ರಾಣೆಯಲ್ಲಿಟ್ಟಿದ್ದಾರೆ ಅನಂತರ ೫೦ ರೂಗಳ ಜಾಮೀನಿನ ಮೇಲೆ ಅವರ ಬಿಡುಗಡೆ ಮಾಡಲಾಗಿದೆ

ಆಪಾದಿತರಾದ ಶ್ರೀ ಚನ್ನಕೇಶವಾಚಾರಿಯವರು ಸದರಿ ಇದಿಲು ಅಂಗಡಿ ಮಾಲೀಕರಬಳಿ ಹೋಗಿ ಅಂಗಡಿ ಲೈಸೆನ್ಸ್ ಪಡೆದಿಲ್ಲವೆಂದೂ, ಅಂಗಡಿಯನ್ನು ಮುಚ್ಚಬೇಕೆಂದು ಬೆದರಿಸಿ ಅಕ್ರಮವಾದ ಸಂಭಾವನೆ ಕೇಳಿದರೆಂದೂ ಅದನ್ನು ಕೊಡಲು ಅಂಗಡಿಯವರು ತಿರಸ್ಕರಿಸಿದ್ದರಿಂದ, ಅಂಗಡಿಯವರವೇಲೆ ಕೋರ್ಟಿನಲ್ಲಿ ವೊಕದ್ದಮೆ ಹೂಡಿದ್ದಲ್ಲದೆ ಬಲಾತ್ಕಾರವಾಗಿ ಅಂಗಡಿಯನ್ನು ಮುಚ್ಚಿಸಿ ತೊಂದರೆ ಮಾಡಿದ್ದನ್ನು ಶ್ರೀ ನಾರಾಯಣರಾಯರು ಪುರಸಭಾ ಕಮೀಷನರಿಗೆ ತಿಳಿಸಿದ್ದರಿಂದೂ ಹೇಳಲಾಗಿದೆ

ಪೌರಸಭೆಯ ಇಂಜಿನಿಯರ್ ಶ್ರೀ ವಿ ಕೆ ನುಳುಂದನ್ ರವರಿಂದ ಮುಂಚಿತವಾಗಿಯೆ ತಪಿ ಹಾಕಲ್ಪಟ್ಟಿದ್ದ ೧೦ ರೂಪಾಯಿನ ನೋಟನ್ನು ಶ್ರೀ ನಾರಾಯಣರಾಯರು ಆಪಾದಿತರಿಗೆ ಲಂಚ ರೂಪದಲ್ಲಿ ಇನ್ನೆಯದಿನ ಕೊಟ್ಟರೆನ್ನಲಾಗಿದ್ದು ಅನಂತರ ಅವರಿಬ್ಬರೂ, ಹೋಟೆಲಿಗೆ ಹೋಗಿ ಕಾಫೀ ಕುಡಿದನಂತರ ಆಪಾದಿತರು ವೇಲಿನ ನೋಟನ್ನು ಹೋಟೆಲಿನವರಿಗೆ ಕೊಡಲು ಹೋದಾಗ ಲಂಚ ನಿರೋಧ ಇಲಾಖಾಧಿಕಾರಿಗಳ ಪೋಲೀಸರ ಸಹಾಯದಿಂದ ಸದರಿ ನೋಟನ್ನು ವಶಪಡಿಸಿಕೊಂಡು ಚೆನ್ನಕೇಶವಾಚಾರಿಯವರನ್ನು ದಸ್ತಗಿರಿ ಮಾಡಿದರೆಂದೂ ತಿಳಿದುಬಂದಿದೆ



To

The Director of Public Health
in Mysore,
Seshadri Road, Bangalore

Petitioner - C R Channakeshavachary
Sr Health Inspector (under suspension)
No 60 Model House, Main Agrahara,
MYSORE

Sir

Office of the Minister for Local Self Government.
No 2391
Date 21/3/51

Subject Appeal against the order of suspension by the Health Officer, City Municipal Council Mysore No H. & P R 513 of 50-51 dated 24-1-1951

---- -- --

I the petitioner, beg to submit that in obedience to the above order I handed over charge of the after noon of 24-1-51 and subsequently I have submitted several applications to the Health Officer, City Municipal Council, Mysore on different dates i e 16-1-51, 2-2-51, 20-2-51, 26-2-51 and 13-3-51, setforthing the actual facts of the case and requesting to restore the post or to grant leave with allowance But neither of my applications were taken to consideration nor an endorsement granted to me to that effect

In this connection I beg to submit that the Health Officer or the Municipal Commissioner, City Municipal Council, Mysore have no powers to suspend myself or punish an employee drawing Rs 60/- and above as per City Municipal regulation section 248 and Chapter VI (a) and (b) of the Mysore City Municipalities Act and Bye-law In spite of this I have carried out the orders of my immediate superior in handing over charge, and I am under suspension for the last two months I am a family man and I have to maintain 7 souls who are all depending upon me

Therefore, as I have come in the Establishment of your Department and as a direct subordinate to you, I request your learned self to kindly call for the records of my case and consider favourably in ordering for the restoration of my post at an early date For which act of sympathy I shall ever remain grateful to you, Sir

Dated 17th March 1951

C R Channakeshavachary
Petitioner

PTO

Copy Submitted to the Honourable Minister for public Health, in Mysore Bangalore: for kind perusal and orders

T S Thamachesa Chary
Sr Health Inspector

Mysore
17 3 51

From,

C.B. Channakesavachary
Sr. Health Inspector (Under suspension), No 60 Model House, Rajaram Agrahar,
M Y S O R E

Office of the Ch... No
Date 10/4/51

To,
The Director of Public Health,
In Mysore, Bangalore

Through:
The Health Officer,
City Municipal Council, Mysore
and through proper channel.

MEMORANDUM

Sub. My report dated 16.I.51 and subsequently on 2.2.51, 20.2.51, 28.2.51 and 13.3.51 with reference to the Memo No. H.I. PR. 313/50-51 dated 23.I.51 from the Health Officer C.M.C. keeping me under suspension from 24.I.51
2. Memo No, H.I.P.R. 313/50-51 dated 20.3.51

Sir,

In enclosing here with the copies of the above two memos I beg to bring to your kind notice that under section 248 of the City Municipality regulation and Chapter VI 6 (a)&(b) of the Mysore City Municipality rules and bye-laws the powers of the Municipal Commissioner to punish suspend or dismiss is limited to those whose pay is Rs. 60 and below Further his powers are limited to those to whom he is an appointing authority. But in my case I am only a lent official by the Department of Public Health being appointed by the Director of Public Health in Mysore, Bangalore being a direct subordinate to him who is the appointing authority. Apart from this my pay at present is Rs 84/- per mensum on whom both the Health Officer and the Municipal Commissioner have no vested powers to keep me under suspension under the above mentioned sections. Therefore at the first place the order itself is null and void since it has been passed without proper powers.

Secondly it is towards purely a pre-arranged concocted case where in I am not guilty

Lastly the above order has not been passed immediately after the incidence that is from 16.I 51,

With all that too I have handed over charge just to obey the orders of the immediate superior as a obedient subordinate to him

Therefore there is much injustice is caused to me by such illegal suspension for more than two and a half months and subsequently my representation are not favourably considered As a result of which neither I have been taken on duty nor the leave is granted on account of which I and my family people are made to starve in these hard days for no fault of mine.

Further they have not drawn the subsistence allowance as per their endorcement even after 15 days.

Under the circumstance explained above I most humbly beg to request you Sir, kindly to conside r my case favourably and to order for restoration of my post at an early date.

For which act of kindness and generosity I shall ever remain grateful to you Sir,

I beg to remain,
Sir,
Your most obedient servant,
C B Channakesavachary

Copy Submitted to the Honourable Minister for public Health, in Mysore Bangalore: for kind perusal and orders

T S Thamachetty Chargé
Sr Health Inspector

Mysore
17 3 51

G R S App F G 3

GENERAL AND REVENUE

SECRETARIAT

~~(Continuation sheet draft form)~~

No. h 1092/51/8

To

The Municipal Council

Nagpur cum Municipality

(Through the President)

Subject Corruption —

Senior Health Inspector of

the Nagpur cum Municipality

Sir,

With Reference to your

letter no no p c 2946 dt 23 xi

on the above subject, I am

directed to request you to

Send the S R and character

Roll of this official for

Reference by return of post the Police

Commissioner Nagpur is requested to

of the case registered against the ~~case~~ CR 115/50. 51 Reference to

Action may also be taken

accordingly

Yours faithfully

M 5/5

5/1/1952 S.G.S.

WD 06819—GPB—2a 000—26 7 49

Copies of the fore going is submitted to

1. The Director of Public Health in Mysore, Bangalore.
2. The Hon'ble Minister for Public Health, Bangalore
3. The Hon'ble Minister of Municipalities and Local Boards in Mysore, Bangalore
4. The Secretary for Public Health and Food Departments to the Government of Mysore, Bangalore.
5. The Hon'ble Chief Minister to the Government of Mysore Bangalore.

for kind consideration and favourable orders in the matter.

MYSORE
D. 9.4.1951

Sr. Health Inspector

Thammanna Chary
Senior Health Inspector

I R S App F G 3

GENERAL AND REVENUE SECRETARIAT

~~(Continuation sheet draft form)~~

No. L 1092/8/51

To

The Municipal Council
Nagpur cum Municipality
(Through the President)

Subject Corruption —

Senior Health Inspector of the Nagpur city Municipality

Sir,

With Reference to your letter no no p c 2946 dt 23 xx on the above subject, I am directed to request you to Send the S R and character Roll of this official for Reference by return of post the Case Investigating police officer in crime no of the case registered against the CR 115/50.51 Reference to the Circle may also be kindly Cautioned

Yours faithfully
M
5/1/1952 Sec to Govt

WD 06819—GPB—2a 000—26 7 49

From -

C.B.Channakesavachary,
Senior Health Inspector, (under suspension),
No. 60, Model House, Rajaram Agrahar,
Mysore

Office of the Chief Minister
No T 215
Date 2/5/51

SECRETARIAT 822 4 MAY 19 SECRETARIAL BRANCH

To

The Hon'ble Chief Minister,
Government of Mysore,
Bangalore

Sir,

Sub - My report dated 16-1-51 explaining the actual incidance that took place on 15-1-51 and subsequently on 2-2-51, 20-2-51, 28-2-51 and 13-3-51 with reference to Memo No.Hl P R 313/50-51 dated 23-1-51 from the Health Officer, City Municipal Council, Mysore keeping me under suspension from 24-1-51

2 Memo No P A 415/50-51 dated 15-3-51

3. Memo No Hl P.R.313/50-51 dated 20-3-51

4 An appeal petition dated 17-3-51 to the Director of Public Health against the above two orders

5 Memorandum dated 9-4-51 to the Director of Public Health through the Health Officer, City Municipal Council, Mysore

Memorandum

1) In this connection, I beg to submit that the entire allegation is purely concocted and baseless as I am in no way responsible for the issue of license Apart from the by the time I took charge of the Chamaraja Mohalla the license No A 20-352/50-51 was already issued to the par Just for the sake of this case the above license was w drawn directly by the Health Officer as per his inspection notes or 8-12-1950 through the endorsement No L P.1 of 50-51 dated 16-12-1950 The above endorsement and notice was served on 24-12-1950 which was also signed by the Health Officer Since he did not comply to the te of the above two, instructions and orders were passed the same Health Officer to prosecute the party The charge sheets were scrutinised and signed by the cipal Advocate as well as the Health Officer, City Mun l Council on 2-1-1951 which has been duly submitt the

al Commissioner on the same date for kind signature Then all others which were sent along with this were returned duly signed but not the two including this which were particulaly instructed in order to be prosecuted by the Health Officer Those two charge sheets were returned by the Municipal Commissioner with a slip to the Health Officer on 4-1-51 stating that "I shall be glad to speak to the Health Officer" regarding these two cases" Then Health Officer after 2 or 3 days after a personal discussion with the Municipal Commissioner returned both the charge sheets with oral instructions to recommend for issue of licenses It is a matter for your kind consideration that the above charge sheets were detained by the Municipal Commissioner and the Health Officer for nearly a week Even then the charge sheets were not signed through they were correct as per rules as scrutinised by the Municipal Advocate on 2-1-51 Nor the reason for not signing the charge sheets were ordered in writing either on paper or on charge sheets When they returned even the Health Officer has not ordered in writing in both the cases even to restore the license Under the circumstances explained above, it is clear that I am not responsible for withdrawal of the license or for launching the prosecution or for withdrawal since it was not signed, or even for restoration Since at every step it is the instructions and the orders of my superior Then after every thing is said and done this false case is reported to have taken place within the office premises on 15-1-51 on which date I was arrested by the police Even then I was allowed for duty for a period of 8 days and suspended from 24-1-51 as per Memo No HI P R 313/50-51 dated 23-1-51 from the Health Officer, City Municipal Council, Mysore

2) In this connection, I beg to bring to your kind notice that under section 248 of the City Municipality Regulation and Chapter VI 6 (a) & (b) of the Mysore City Municipality Rules and bye-laws, the powers of the Municipal Commissioner to punish, suspend or dismiss o those whose pay is Rs 60/- and below Further his powers are limited to those to whom he is an appointing authority But in my case I only a lent official by the Department of Public Health being pointed by the Director of Public Health in Mysore, Bangalore being irect subordinate to the Director of Public Health, who is the pointing authority Apart from this my pay at present is Rs 84/- onth on whom both the Health Officer and the Municipal Commi-

Commissioner, City Municipal Council have no vested powers to [illegible] dismissal under the above mentioned section and rules. Therefore at the first place, the order itself is null and void since it has been passed without proper powers and secondly it is purely/pre arranged concocted case wherein I am not guilty. Lastly, the above order has not been passed immediately after the incidence. But it has been passed after a week. With all that too, I have taken over charge just to obey the orders of the immediate superior as a obedient subordinate to him. Therefore there is much injustice is caused to me by such illegal suspension for more than 3 months and subsequently my representations are not favourably considered. As a result of which neither I have been taken on duty, nor the leave prayed for is granted. On account of which I and my family people are made to starve in these hard days, for no fault of Mine. Further they have endorsed to state that they have granted subsistence allowance from the period of 1/4/61 to 15-3-61. But even though it is 11 months passed, they have not actually drawn even that. This is also another incident as to how they are teasing me against rule and against their own orders. By all these, I am unnecessarily being harassed and made to starve for a period of more than 3 months.

3) Under the circumstances, I most humbly pray your honour, to kindly consider my case favourably and to order for restoration of my post at an early date, so that I may eke my daily bread in these hard days.

4) For which act of your kindness and generosity, I shall ever remain grateful to you sir.

I beg to remain
Respected Sir,
Your most obedient servant,

G. Thamaraiselvan Chetty
Junior Health Inspector

My ore
1st May 1961

No. Hl.P.R.313/50-51.

City Health Office,
Mysore, dated 23-1-1951

Reference - Report of the Inspector of Police, B Division that Sri C.B.Channakeshavacharya, Senior Health Inspector was caught red handed by the Sub Inspector of Police, while receiving illegal gratification

2.Memo No.2953 dated 22-1-51 from the Municipal Commissioner, ordering that the Senior Health Inspector, may be kept under suspension pending completion of the Investigation of the case

Memo

Sri.C.B.Channakeshavacharya, Sr Health Inspector is kept under suspension with effect from 24-1-51 until further orders. He is directed to hand over complete charge to Sri K.Mariappa, Jr.Health Inspector, Chamaraj III immediately and submit a charge list.

Copy to Sri.K.Mariappa, Jr.Health Inspector with instructions to take charge immediately and report

Sd/- S.Seshagiri Rau,
Health Officer. 23-1-51

"copy"

No.H1-P.R.313/50-51.

City Health Office,
Mysore, Dated, 20th March '51.

ENDORSEMENT

With reference to his application dated, 2nd Feb. '51 requesting to take on duty, or to grant leave for one month from 24th Jan. 51 and further application 20 Feb, 51 requesting to take him on duty or to grant him another month's leave, Sri. C B.Channakeshavacharya is informed in continuation of this Office Memo No. P A.415/50-51, dated 15 Mar 51 sanctioning him a subsistence allowance permissible, that he has been arrested by the Police on a serious allegation, that he cannot be taken on duty till the police investigation is completed and the result known and that the question of treating the period of his suspension will be decided after the case against him is disposed of.

Sd. S. Seshagiri Rao

Health Officer. 20/3/51.

Copy

No.HL-P.R.313/50-51.

City Health Office,
Mysore, Dated, 20th March '51.

ENDORSEMENT

With reference to his application dated, 2nd Feb. '51 requesting to take on duty, or to grant leave for one month from 24th Jan. 51 and further application 20 Feb, 51 requesting to take him on duty or to grant him another month's leave, Sri. C.B Channakeshavacharya is informed in continuation of this Office Memo No P A.415/50-51, dated 15 Mar 51 sanctioning him a subsistence allowance permissible, that he has been arrested by the Police on a serious allegation, that he cannot be taken on duty till the police investigation is completed and the result known and that the question of treating the period of his suspension will be decided after the case against him is disposed of.

Sd. S. Seshagiri Rao

Health Officer. 20/3/51.

Copy

Copy of letter No C8 C.287/50-51, dated, 12/3/51, from the Municipal Commissioner, Mysore, to the Health Officer, Mysore.

Ref No. H.1 P.R 323/50-51, dated 26 Feb. 51 from the Health Officer, Mysore,. recommending for the grant of subsistence allowance to Sri C.B.Channakeshavacharya Senior Health Inspector under suspension

Memo.

As recommended by the Health Officer a subsistence allowance (of one quarter of the pay permissible under Art 117 (A) M.S.R is granted to Sri. C.B.Channakeshavacharya, Senior Health Inspector, under suspension.

Memo No P.A.415/50 51

Date

Copy of the above is forwarded to Sri C,B Channakeshavacharya, Senior Health Inspector, under suspension, for information

Sd. S.Seshagiri Rao,
Health Officer. 15/3/5

Copy

By Regd. Post

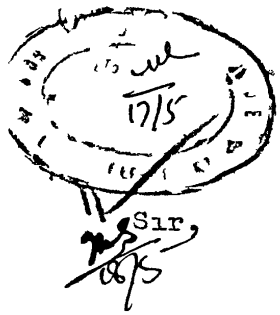
No CC.C 287/50-51.
Encls 2 out

CITY MUNICIPAL COUNCIL
Mysore, Dated 14-5-51.

FROM

THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
MYSORE

To



The Secretary to Government,
L.S.G.Department, Bangalore.

(Through the President).

Sir,

Subject - Corruption- Senior Health Inspector of the Mysore City Municipality.

As desired in your letter No.L. 1092 dated 8th May 1951 on the above subject, I am herein enclosing the service register and character book of the Senior Health Inspector, Sri C B.Channakeshavae chary, I request you ~~to~~ kindly to acknowledge their receipt.

The District Superintendent of Police, Mysore District has been requested to intimate the result of the case registered against the official. On receipt of a reply from him the information will be furnished.

Yours faithfully,

Municipal Commissioner.

Forwarded with compliments,

President.

PSK.

By Regd. Post

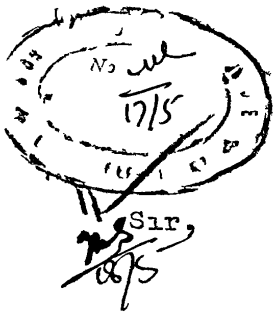
No CS.C 237/50-51.
Encls 2 out

CITY MUNICIPAL COUNCIL
Mysore, Dated 14-5-51.

FROM

THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
MYSORE

To



The Secretary to Government,
L.S G.Department, Bangalore.

(Through the President).

Sir,

Subject - Corruption- Senior Health Inspector of the Mysore City Municipality.

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Yours faithfully,

Municipal Commissioner.

Forwarded with compliments,

President.

PSK.

Appendix F G—1]

SUBJECT Corruption - Senior Health Inspector of the Mysore city Municipality

Diary No of letter replied to

General and Revenue Secretariat

( )

the 19

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Section

File No

Serial No

No L2327 /50

To 14-6-51

The Municipal Commissioner
Mysore City Municipality
(Through the President)

Sir

With reference to the correspondence ending with your letter no C 8-C 287/50-51 dated 14-5-51 on the above subject, I am directed to forward herewith the original representation dated 1-5-51 of Sri C B Chandrashekhara Shastri Health Inspector and to request for your favour especially with special reference to the correction in para 2 of the representation regarding the penalty of withholding increments for two years and to enquire further whether it is proposed to keep them

under Suspense on the Chi Case is decided

A very early reply is
requested The said representation may
be returned with your reply
Yours faithfully

MS 8/6
for U S & Secy
Home
7/6/15

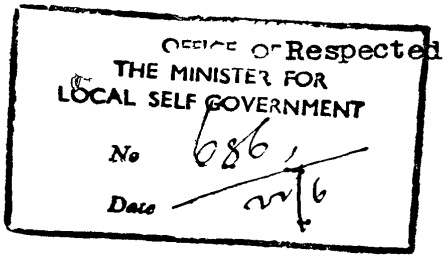
MAS 23/18

From

C.B Channakesava Chary,
Senior Health Inspector (under suspension)
No. 60, Model House, Rajaram Agrahar, Mysore.

To

The Hon'ble Minister,
For Local Self Government,
Government of Mysore, Bangalore



Respected Sir,

Sub - My report dated 16-1-1951 explaining the actual incident that took place on 15-1-1951 and subsequently on 2-2-51, 20-2-1951, 28-2-1951 and 13-3-1951 with reference to the Memo No H-1 P R 313 of 50-51 dated23-1-1951 from the Health Officer, City Municipal Council, Mysore keeping me under suspension from 24-1-1951.

2 Memo No P A 415 of 50-51 dated 15-3-51.

3 Memo No.H-1 P R 313 of 50-51 dated 20-3-51

4. My appeal petition dated 17-3-51 to the Director of Public Health in Mysore Bangalore against the above two orders

5 Memorandum dated 9-4-51 to the Director of Public Health through the Health Officer City Municipal Council, Mysore

6 Memorandum dated 1st May 1951 addressed to you

Reg post
8-6 5-1
(Reg secy)
Or
13/6/54

Second Memorandum

In continuation of my memorandum, dated 1st May 1951 I once again beg to bring the following few lines to your kind consideration and favourable early orders In the above connection, I beg to submit that the entire allegation is purely concocted and baseless as I am in no way responsible for the issue of license Apart from this by the time I took charge of the Chamaraja Mohalla, the license No A 20-352/50-51 was already issued to the party Just for the sake of this case the above license was withdrawn directly by the Health Officer as per his instruction notes of 8-12-50 through the endorsement No L P.1474 of 50-51 dated 16-12-50 The above endorsement and a notice was served on 24-12-50 which was also signed by the same Health Officer Since he did not comply to

to the terms of the above two instructions and orders were passed by the same Health Officer to prosecute the party. Then the charge sheets were scrutinised and signed by the Municipal Advocate as well as the Health Officer, City Municipal Council, on 2-1-51 which has been duly submitted to the Municipal Commissioner on the same date for kind signature Then all others which were sent along with this were returned duly signed but not the two including this which were particularly instructed and ordered to be prosecuted by the Health Officer Those two charge sheets were returned by the Municipal Commissioner with a slip to the Health Officer on 4-1-51 stating that " I shall be glad to speak with the Health Officer regarding these two cases Then Health Officer after 2 or 3 days after a personal discussion with the Municipal Commissioner returned both the charge sheets with oral instructions to recommend for issue of licenses It is a matter for your kind consideration that the above charge sheets were detained by the Municipal Commissioner and the Health Officer for nearly a week Even then the charge sheets were not signed though they were correct as per rules as scrutinised by the Municipal Advocate on 2-1-51 Nor the reason for not signing the charge sheets were ordered in writing either on paper or on the charge sheets Then when returned over the Health Officer has not ordered in writing in both the cases even to restore the license Under the circumstances explained above, it is clear that I am not responsible for withdrawal of the license or for launching the prosecution or for withdrawal since it was not signed,or even for restoration Since at every step it is the instructions and the orders of my superior Then after every thing is said and done this false case is reported to have taken place within the office premises on 15-1-51 on which date I was arrested by the Police Even

Even then I was allowed for duty for a period of 8 days and suspended from 24-1-51 as per Memo No H1.P.H.313/50-51 dated 23-1-51 from the Health Officer, City Municipal Council, Mysore

In this connection, I beg to bring to your kind notice that under section 248 of the City Municipality Regulation and Chapter VI (a) and (b) of the Mysore City Municipality Rules and bye-laws, the powers of the Municipal Commissioner to punish, suspend or dismiss is limited to those whose pay is Rs.60/- and below Further his powers are limited to those to whom he is an appointing authority. But in my case, I am only a lent official by the Department of Public Health being appointed by the Director of Public Health in Mysore, Bangalore, being a direct Subordinate to the Director of Public Health, who is the appointing authority. Apart from this my pay at present is Rs.84/- per month on whom both the Health Officer and the Municipal Commissioner, City Municipal Council have no vested powers to keep me under suspension under the above mentioned sections and rules Therefore at the first place, the order itself is null and void, since it has been passed without proper powers and secondly it is purely prearranged concocted case wherein I am not guilty Lastly, the above order has not been passed immediately after the incidence. But it has been passed after a week With all that too, I have handed over charge just to obey the orders of the immediate superior as an obedient subordinate to him Therefore there is much injustice is caused to me by such illegal suspension for more than 4 months and subsequently my representions are not favourably considered As a result of which neither I have been taken on duty nor the leave prayed for is granted On account of which I and my family people are made to starve in these hard days, for no fault of mine. Further they have endorsed me stating that they have granted subsistence allowance through their memo No P.A 415/50-51 dated 15-3-51

But even though it is 2½ months passed, they have not actually drawn even that This is also an other incident as to how they are teasing me against rules and against their own orders. By all these, I am unnecessarily been harrassed and made to starve for a period of more than 4 months In this connection I beg to bring to your kind notice that no prosecution has been launched ~~here~~ hitherto

Under these circumstances, I most humbly pray your honour to kindly consider my case favourably and to order for restoration of my post at an early date, so that I may eke my daily bread in these hard days

For which act of your kindness, and generosity, I shall be ever remain grateful toyou sir

I beg to remain,
Respected Sir,
Your most obedient servant,

T S Thanachelapathy

Senior Health Inspector

Mysore
30th May 51.

T 6 51

No C8-C 287/50 51
Encls

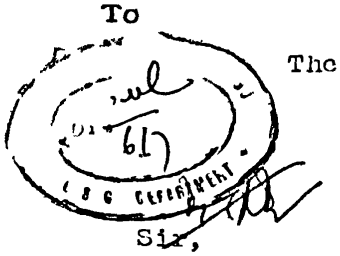
CITY MUNICIPAL
Mysore, Dated 3rd

FROM

THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
MYSORE

M A
9/7

To



The Secretary to Government,
L S G Department,
Bangalore

(Through the President)

Sir,

With reference to your letter No 2327 dated 14-6-1951 enclosing a representation dated 1st May 1951 of Sri C B Channakeshavachari, Health Inspector, for my remarks with special reference to his contention in para 2 of the representation regarding the legality of the orders placing him under suspension, I write to state as follows -

The facts of the case have been explained in my letter No PC 2976 dated 23rd February 1951

The official has contended that under Section 248 of the City Municipalities Act and Chapter VI 6(a) and (b) of the Rules and Byelaws, the Municipal Commissioner can punish, suspend or dismiss only officials whose pay is Rs 60/- and below and those for whom he is the appointing authority This view is not correct The powers specified in Section 248 of the Mysore City Municipalities Act do not exhaust the powers of the Municipal Commissioner They are powers which the Municipal Commissioner can exercise independently of such powers as may be delegated to him by the Municipal Council and which he can exercise without the sanction of the Municipal Council Under Section 246 of the City Municipalities Act, when a Municipal Council empowered by any of the provisions of the Act or by any byelaws thereunder to authorise an officer to exercise any power whatever or to do anything

has so authorised any officer, it shall be deemed so to have authorised the Municipal Commissioner notwithstanding that it has not expressly so authorised him Under Byelaw 6(a) of Chapter VI of the Mysore City Municipal Byelaws, which were framed when there was no Commissioner for the Municipality and there was an official President, the President had power to appoint, suspend, fine, reduce or dismiss any Municipal Officer or servant other than the Chief Officer, Health Officer or Municipal Engineer subject to the condition that the appointment or dismissal of any officer or servant on a pay of Rs 60/- and upwards shall be subject to confirmation by the Municipal Council The byelaws of the Mysore City Municipality have not been revised after the appointment of the Municipal Commissioner By virtue of Section 246 of the Mysore City Municipalities Act the Municipal Commissioner is deemed to have been authorised by the Municipal Council to exercise the power given to the President under byelaw 6 (a) of Chapter VI of the Byelaws of the Municipality These powers include the power to suspend all officials except the Chief Officer, Health Officer or Municipal Engineer Only appointment and dismissals of officials getting a pay of more than Rs 60/-, and not suspension, require the confirmation of the Municipal Council In the present case, the action taken by me in keeping the official under suspension has also been reported to the Municipal Council and recorded by them at their meeting held on 7-2-1951

The official has further contended that as he is an official of the Department of Public Health, disciplianary action could be taken against him only by the Director of Public Health This contention cannot also be accepted In para 6 of G O No L 4244-65/LB 105-33-15 dated 17th December 1934, it is stated that local bodies have disciplianary control over their Sanitary Inspectors and Assistant Sanitary Inspectors, but without prejudice to the

general control of the Director of Public Health, who may in the interests of public service take disciplinary action whenever necessary

In para 1 of his representation, the official has alleged that the case against him is concocted No one is interested in concoting a false case against the official It was because a definite allegation was made by a depot keeper that illegal gratification was demanded by the official, the Health Officer referred the matter to the police so that the official could be caught redhanded, in the event of his being found receiving the bribe Further action in the matter was taken by the police Unless it can be proved that the police and the Municipal authorities conspired together, the allegation that a false case was foisted against him will be found to be entirely baseless

The official has tried to import some sinister intention to the fact that charge sheets which were sent to me were not signed but sent back to the Health Officer The reason why the two charge sheets referred to by the official were not signed by me but were returned to the Health Officer with a request to speak to me was that as the Health Officer is not empowered to withdraw licenses, prosecutions for contravention of the Health Officer's order might not stand in a Court of Law, as already stated in my letter No PC 2976 dated 23-2-1951

The official has argued that as he was kept under suspension one week after his arrest the suspension order is not bonafide It is not clear how a lapse of a week would indicate that the action taken in suspending him was not bonafide I received formal intimation of the arrest of the official from the District Superintendent of Police on 19th January 1951 and the order of suspension has been passed on 22nd January 1951

has so authorised any officer, it shall be deemed so to have authorised the Municipal Commissioner notwithstanding that it has not expressly so authorised him Under Byelaw 6(a) of Chapter VI of the Mysore City Municipal byelaws, which were framed when there was no Commissioner for the Municipality and there was an official President, the President had power to appoint, suspend, fine, reduce or dismiss any Municipal Officer or servant other than the Chief Officer, Health Officer or Municipal Engineer subject to the condition that the appointment or dismissal of any officer or servant on a pay of Rs 60/- and upwards shall be subject to confirmation by the Municipal Council The byelaws of the Mysore City Municipality have not been revised after the appointment of the Municipal Commissioner By virtue of Section 246 of the Mysore City Municipalities Act the Municipal Commissioner is deemed to have been authorised by the Municipal Council to exercise the power given to the President under byelaw 6 (a) of Chapter VI of the Byelaws of the Municipality These powers include the power to suspend all officials except the Chief Officer, Health Officer or Municipal Engineer Only appointment and dismissals of officials getting a pay of more than Rs 60/-, and not suspension, require the confirmation of the Municipal Council In the present case, the action taken by me in keeping the official under suspension has also been reported to the Municipal Council and recorded by them at their meeting held on 7-2-1951

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From -

C B Channakesavachary,
Senior Health Inspector, (under suspension)
No 60, Model House, Rajaram Agrahar,
Mysore

Office of the Minister for Local Self Government
No 220 To
Date 15

The Hon'ble Minister for
Local Self Government,
Government of Mysore, Bangalore

Sir,

GENERAL & REVENUE SECRETARIAT 1628 12 MAY 19 14 BRANCH Copied 7 Memod 128

Sub - My report dated 16-1-51 explaining the actual incidance that took place on 15-1-51 and subsequently on 2-2-51, 20-2-51, 28-2-51 and 13-3-51 with reference to Memo No H1 P R 313/50-51 dated 23-1-51 from the Health Officer, City Municipal Council, Mysore keeping me under suspension from 24-1-51

2 Memo No P A 415/50-51 dated 15-3-51

3 Memo No H1 P R 313/50-51 dated 20-3-51

4 An appeal petition dated 17-3-51 to the Director of Public Health against the above two orders

5 Memorandum dated 9-4-51 to the Director of Public Health through the Health Officer, City Municipal Council, Mysore

2-5-51 Reg seen

2/5/51

Memorandum

In this connection, I beg to submit that the entire allegation is purely concocted and baseless as I am in no way responsible for the issue of license. Apart from this by the time I took charge of the Chamaraja Mohalla, the license No A 20-352/50-51 was already issued to the party Just for the sake of this case the above license was withdrawn directly by the Health Officer as per his inspection notes of 8-12-1950 through the endorsement No L P 1474 of 50-51 dated 16-12-1950 The above endorsement and a notice was served on 24-12-1950 which was also signed by the same Health Officer Since he did not comply to the terms of the above two, instructions and orders were passed by the same Health Officer to prosecute the party Then the charge sheets were scrutinised and signed by the Municipal Advocate as well as the Health Officer, City Municipal Council on 2-1-1951 which has been duly submitted to the

As regards the query whether it is proposed to keep him under suspension till the case against him is decided, I feel that it is not desirable to permit him to work in this city till the case against him is decided, but he may be permitted to work elsewhere I have already written to the Director of Public Health in my letter No C8 287/50-51 dated 21-4-1951 that while it is not possible to restore him and take him on duty in this Municipality, there is no objection to his being restored and posted for duty elsewhere, as the police have not yet launched prosecution The District Superintendent of Police has intimated that he has asked for sanction to prosecute the official and that he is awaiting orders from the District Magistrate This fact has been reported to Government in my letter No C8 287/50-51 dated 30-5-1951.

The official's representation received with your letter under reply is returned herewith

Yours faithfully,

S. Narasimha Iyengar

Municipal Commissioner

Forwarded with compliments

T Narasimha Iyengar

President

snr

From -

C B Channakesavachary,
Senior Health Inspector, (under suspension
No 60, Model House, Rajaram Agrahar,
Mysore

Office of the Minister for Local Self Government
No 220 To
Date 15

The Hon'ble Minister for
Local Self Government,
Government of Mysore, Bangalore

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GENERAL & REVENUE SECRETARIAT 1028 12 MAY 19 14 BRANCH Copied 7 Memod 123

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P 5-5-51 P&S seen

2/5/51

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Municipal Commissioner on the same date for kind signature Then all others which were sent along with this were returned duly signed but not the two including this which were particulaly instructed and ordered to be prosecuted by the Health Officer. Those two charge sheets were returned by the Municipal Commissioner with a slip to the Health Officer on 4-1-51 stating that "I shall be glad to speak to the Health Officer" regarding these two cases" Then Health Officer after 2 or 3 days after a personal discussion with the Municipal Commissioner returned both the charge sheets with oral instructions to recommend for issue of licenses It is a matter for your kind consideration that the above charge sheets were detained by the Municipal Commissioner and the Health Officer for nearly a week Even then the charge sheets were not signed through they were correct as per rules as scrutinised by the Municipal Advocate on 2-1-51 Nor the reason for not signing the charge sheets were ordered in writing either on paper or on charge sheets Then when returned even the Health Officer has not ordered in writing in both the cases even to restore the license Under the circumstances explained above, it is clear that I am not responsible for withdrawal of the license or for launching the prosecution or for withdrawal since it was not signed, or even for restoration Since at every step it is the instructions and the orders of my superior. Then after-every thing is said and done this false case is reported to have taken place within the office premises on 15-1-51 on which date I was arrested by the police Even then I was allowed for duty for a period of 8 days and suspended from 24-1-51 as per Memo No H1 P R 313/50-51 dated 23-1-51 from the Health Officer, City Municipal Council, Mysore

2) In this connection, I beg to bring to your kind notice that under section 248 of the City Municipality Regulation and Chapter VI 6 (a) & (b) of the Mysore City Municipality Rules and bye-laws, the powers of the Municipal Commissioner to punish, suspend or dismiss to those whose pay is Rs. 60/- and below Further his powers are limited to those to whom he is an appointing authority But in my case am only a lent official by the Department of Public Health being appointed by the Director of Public Health in Mysore, Bangalore be a direct subordinate to the Director of Public Health, who is the appointing authority Apart from this my pay at present is Rs.84/- per month on whom both the Health Officer and the Municipal Commi-

Commissioner, City Municipal Council have no vested powers to keep me under suspension under the above mentioned section and rules Therefore at the first place, the order itself is null and void since it has been passed without proper powers and secondly it is purely/pre arranged concocted case wherein I am not guilty Lastly, the above order has not been passed immediately after the incidence But it has been passed after a week With all that too, I have handed over charge just to obey the orders of the immediate superior as a obedient subordinate to him Therefore there is much injustice is caused to me by such illegal suspension for more than 3 months and subsequently my represention are not favourably considered As a result of which neither I have been taken on duty nor the leave prayed for is granted On account of which I and my family people are made to starve in these hard days, for no fault of mine Further they have endorsed me stating that they have granted subsistence allowance through their memo No P A 415/b3-51 dated 15-3-51 But even though it is 1½ months passed, they have not actually drawn even that This is also an other incident as to how they are teasing me against rules and against their own orders By all these, I am unnecessarily been harassed and made to starve for a period of more than 3 months

3) Under the circumstances, I most humoly pray your honour, to kindly consider my case favourably and to order for restoration of my post at an early date, so that I may eke my daily bread in these hard days

4) For which act of your kindness and generosity, I shall ever remain grateful to you sir

I beg to remain
Respected Sir,
Your most obedient servant,
G B Thamakeshava Chary
Senior Health Inspector

Mysore
1st May 1951

I Draft

3 Copies

No. 6589/91.S.S1

Endorsement granted to Sri C.B. Chandrashekharachary, Senior Health Inspector (under Suspension) No 60 - Model House Rajaram Mohalla Nellore

With Reference to his petition dated 30.S.S1/7.6.S1 praying for his Reinstatement, Sri Chandrashekharachary is informed that he cannot be taken on duty till the enquiry/Prosecution against him is finally disposed of.

B.O
Sd/- T.L.S.G
15/9/51

Memo No. 6590-1/91.S.S1

Copy for information to

1) The Municipal Commissioner Municipality Nellore

2) The D.P.O. Nellore B.C.

B.O
Sd/- T.L.S.G
15/9/51

DEPARTMENT OF INFORMATION.

Date 195

Name of Paper

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE

No L 65 ~~70~~ 89 General and Revenue Secretariat,

Dated Bangalore, 21. 9 19 51

ENDORSEMENT

Granted to Sri.C.B.Channakeshavachary, Senior Health Inspector (Under Suspension) No.60, Model House, Rajaram Agrahar, Mysore.

With reference to his petition dated 30th May 1951/7th June 1951 praying for his restoration, Sri.Channakeshavachary is informed that he cannot be taken on duty till the case against him is finally disposed of.

By order,

Sd. K.BALASUBRAMANYAM.

Secretary to Government,
L.S.G. Department.

knr-4/20.9.51 L S 90 - 1 21 9 51

Copy of the above is forwarded to:-

1. The Municipal Commissioner, Mysore City Municipality, Mysore (thro' the President)
2. The Director of Public Health in Mysore, Bangalore.

21/9/51

For L.S.G.Secretary to Government.

DEP

Name of Paper

II draft

Confidential

L 6592

21-9-51

Dear

I are directed to state that under the Rules relating to appointment, punishment and grant of leave, etc. framed by the Mysore City municipal Council, ~~Corporation~~ the Council has power to appoint, suspend, dismiss, reduce or demote any municipal officer or servant other than the chief officer, Health Officer or the municipal Engineer. The present Commissioner of the Council alone has power to ~~exercise~~ exercise specific delegation of these powers under the Act and therefore ~~Council~~ to whom those powers are delegated ~~Commissioner~~ in Sec 248 The word so created has ~~Security~~ lead to the Competency of the Commissioner Corp Recently prosecuted by Sri Channabasha vaddara, Health Inspector who was placed even under suspension even though it was for a serious charge of corruption ~~against him~~ and related to his conduct in the course of discharge of his duties as a public servant. ~~You~~ Therefore ~~to~~ for such cases ~~you~~ I are directed to request the Rules relating to appointment, punishment, grant of leave, etc. in force in Mys a/s so as to

DEPARTMENT OF INFORMATION.

Name of Paper. ... Date 195

Name

all
Enable the Secretary to exercise
the powers which the present official
press draft of the municipal Council
has in the matter of suspension of Councillors
and such other powers ~~powers~~ ~~punishments~~
~~for delinquency~~ as may be

yours Sincerely

9/9/51
9/9

To
The Editor Narasimha Swamy
B N Ltd

Bangalore

Reg: Municipal Council

Mar 15/9/51

H K BALASUBRAMANYAM, M Sc
xXXXXXXXXXXXXXXXXX

Septr 51

L 1592

CONFIDENTIAL

Dear

I am desired to state that under the Rules relating to appointment, punishment and grant of leave etc , framed by the Mysore City Municipal Council, the former Ex-officio President of the Council was given the power to appoint, suspend, fine, reduce or dismiss any municipal officer or servant other than the Chief Officer, Health Officer or the Municipal Engineer The present Commissioner cannot exercise these powers in the absence of specific delegation by the Municipal Council and his powers under the Act are therefore limited to those contained in Section 248 The void so created has led to the competency of the Commissioner being recently questioned by Sri Channakeshavachari, Health Inspector, who was placed him under suspension even though it was for a serious charge of corruption and related to his conduct in the course of discharge of his duties as a public servant

I am therefore to suggest for your consideration the need for amending the Rules relating to appointment, punishment, grant of leave etc , in force in Mysore City so as to enable the Municipal Commissioner to exercise the powers which the previous official in President of the Municipal Council was exercising/the matter of awarding punishment to the subordinates and such others

Yours sincerely,

Sri T Narasimha Iyengar, B A , LL B ,
President,
Mysore City Municipal Council,
MYSORE

knr-2/20 9 51

By Registered post

11206/S R dee(
Character
Bodi 9/1/51

To
The Municipal commissioner
Hyderabad
(Thro the PDH)

Sir,

In continuation of this office letter no. L 6590-1 dated 21 9 51 I am directed to ~~forward~~ Return herewith the Service Register & the character book of Sri C B Chennakeshavachary ~~Sanitary~~ Health Inspector, ~~Health Officer~~, Hyderabad city Municipality the Receipt of which may be kindly acknowledged.

Yours faithfully
51.152
for Secretary to Govt
Labour I S & Dept
5/1/52
DMD

GS 7/1/52

of obtaining sanction of Government for paying him further subsistence allowance is deferred, pending clarification regarding the period of his suspension.

I request you therefore to obtain specific orders of Government early in the matter. Copies of connected references referred to in this letter accompany.

Yours faithfully,

Municipal Commissioner

PSK

Forwarded with compliments,

President.

Proceedings of the Adjourned Meeting of the Municipal Council held on Monday the 5th November 51 at 4.P M in the Municipal Offices.

721. Office note dated the 18th October 51 regarding the payment of the subsistence allowance of one quarter the pay Viz Rs 21/- to Sri C B. Chennakeshavachari, Health Inspector under suspension from 21-1-51, sanctioned in Commissioner's memo No C8 287/50-51 dated 17-3-51 being continued as the official continues to be under suspension as per L S G Secretary's endorsement No.L. 6589/21-9-51 and the continuance requires sanction of Government as the amount involved exceeds Rs. 200/- and the period exceeds 6 months

" Approved "

Sd T Narasimha Iyehgar,
President.

C o p y

Municipal Commissioner

PSK

1. Copy of letter No. CE4-1254 dated 7th December 51 from the Director of Public Health in Mysore, Bangalore to the Municipal Commissioner, Mysore City Municipality, Mysore.

Re Sri Channakeshavachar, Sr. Health Inspector Mysore city (under suspension)

I enclose herewith a copy of letter No M. 15430 P.H. 39-51-2 dated 26th November 51 of Secretary to Government Medical and Public Health Departments, Bangalore conveying orders of Government on the above subject stating that it is not necessary to prosecute the official for reasonas more than one etc., for favour of information and needful

---

2. Letter No M 15430/PH. 39-51-2 dated 26th November 51 from the Secretary to Government, Medical and Public Health Departments Bangalore to the Director of Public Health in Mysore, Bangalore.

Subject - Prosecution of Sri C B Channakeshavacnary, Senior Health Inspector, Mysore city Municipality

---

With reference to the correspondence ending with your letter No CE 4-347/51-52 dated 15-6-51 forwarding copies of letter dated 21-4-51 of the District Magistrate, Mysore together with its enclosures from the District Superintendent of Police, Mysore seeking orders of Government on the prosecution of Sri S B Channakeshavachari, Senior Health Inspector etc , and soliciting orders of Government in the matter of re instatement and posting of the official, I am directed to state that it is seen from the evidence available in the Records that it is not necessary to prosecute the official for reasons more than one, and the official may be taken back on duty and posted to any place outside the city in the Mysore District immediately

The letter No C.I C 1502/50-51 dated 10-2-51 of the District Superintendent of Police, Mysore along with the connected records received with your letter are herewith returned as requested

Copy

Sd
For Director of Public Health

CE4-1257 Office of the Director of Public Health in Mysore, Bangalore 8-12-51

Memo

The transfers of the following Senior Health Inspectors are ordered in the interest of Public Service.

No	Name.	From	To	Remarks.
1.	Sri C B Chennakeshava chary.	Mysore City	Tarikere Secondary Centre.	Forthwith.
2.	Sri G Rangappa	Tarikere Secondary Centre	Hosagavi Health Unit (Madya Dist)	on relief

Sd T Chandrasekharaiya
Diretor of Public Health.

Memo. No CE 4-1258 / 8-12-51

Copy forwarded for information and needful to 1) The Municipal Commissioner, Mysore city Municipality.

* Copy. * Sd *

For Municipal Commissioner.

For Director of Public Health

6470/40 No 5 Sec 8/2

No C8 C 287/50-51
Encls

Mysore, Dated 16-1-52

FROM

M S SWAMINATHAN MA BSc,
MUNICIPAL COMMISSIONER
City Municipal Council Mysore

To

The Secretary to Government,
L.S.G. Department, Bangalore

Sir,

Regarding Service register and Character book of Sri C B Channakeshavachary, Health Inspector

---

I write to acknowledge the receipt of the records referred to above sent with your letter No L 8173 11206 dated 9th January 52

Yours faithfully,

(M S SWAMINATHAN)
Municipal Commissioner

PSK

C F No 46]

6470/40 Hes Sec 8/2

16a **GOVERNMENT OF MYSORE**

No CS Ec-1553 **OFFICE OF** OFFICE OF THE DIRECTOR OF PUBLIC HEALTH IN MYSORE BANGALORE

Encls Encl One

Date 13 2 1952

To

GENERAL OFFICE SECRETARIAT 7443 2 FEB1952 MUNICIPAL BRANCH

The Secretary to Government,
Local Self-Government Bangalore

Sir

Sri C B Channalesnavachary, Senior Health Inspector who was kept under suspension

--

In inviting kind reference to letter No CS C 287/50-51 dated 5th January 1952 of the Municipal Commissioner, City Municipal Council, Mysore, addressed to you on the above subject, requesting for orders of Government regarding the suspension period of the Health Inspector, I enclose herewith a copy of the representation of the official praying that, in the circumstances explained, in the representation, the period of suspension from 24th January 1951 to 21th December 1951 maybe treated as on duty I solicit orders of Government in the matter

Yours faithfully,

(T Chandrasekharaiya)
Director of Public Health

Office of the Director of Public Health,
in Mysore,
Bangalore, dated 13th February 1952

From

C. B Chennakeshavachari,
Senior Health Inspector,
Secondary Centre,
Chickmagalur.

To

The Director of Public Health,
in Mysore,
Bangalore.

Through

The Medical Officer of Health,
Secondary Centre,
Chickmagalur.

Respected Sir,

Subject - The period of suspension for 11 months from 24-1-1951 to 24-12-1951 as per memo No.Hl.P.R 313/50-51 dated 23-1-1951 of the Health Officer, City Municipal Council, Mysore.

References My report dated 16-1-1951 explaining the actual incidence that took place on 15-1-51 2 Memo No P-A 413/50-51 dated 15-3-1951and memo No. Hl P R 313/50-51 dated 20-3-51 from the Health Officer, City Municipal Council, Mysore

3 My appeal petition dated 17-3-51 addressed to the Director of Public Health in Mysore, Bangalore against the two above orders.

4 Memorandum dated 9-4-51 to the Director of Public Health through the Health Officer, City Municipal Council, Mysore,

5 Memorandum dated 1-5-51 and 30-5-51 addressed to the Honourable Minster

6 Government Order No M.15430/P.H.39-51-2 dated 26-11-51 stating that the prosecution can not be sanctio for the reasons more than one and the case may be wit drawn and the official may be reinstated immediately e

7 Memo No C E 4-1257 dated 8-12-51 from the Directo of Public health in Mysore,Bangalore transferring m from Mysore City to Chickmagalore District in the i rest of Public Service.

While thanking benign Government for having considered my csse favourably by reinstating me in my original appointment I beg to submit that the Government is already aware of the facts of the case and that I was in no way concerned in the false allegations foisted on me as already submitted in my memorandum 1st and 30th May 1951. With allthat to I was kept under suspension from 24-1-1951 to 24-12-1951 as per memo No Hl P R 313/50-51 dated 23 1.1951 from the Health Officer, Mysore City Municipality for no fautlt of mine

By this I was unnecessarily been harrased for along period of 11 months without pay and my pecuiniary state of affair/

affairs was very miserable on account of which I was forced to go into a heavy debts just to maintain myself and my family at Mysore in these hard days

In the above connection, I humbly beg to submit that

1. The entire allegation is false and concocted as represented in my memorandum stated, 1st and 30th May 1951 and only based on personal prejudise.

2. The suspension itself is illegal as the authority suspending me had no vested powers in him as per section 248 of the City Municipalities Regulation and Chapter VI (a) and (b) of the Mysore City Municipalities Rules and Bye-laws

3. The Government are pleased to observe that there is nothing on me for reasons more than one in this case.

4. Referring to the above Government Order I have been transferred to Chickmagalore District from Mysore City Municipality in the interest of Public Service

5. And as per Article 117 (b) (1) of M S R., it states - If the suspension of an officer as a penalty for misconduct is upon reconsideration or appeal held to have been unjustifiable, or notwholy justifiable, or if an officer dismissed from office or suspended pending enquiry into his alleaged misconduct is, AFTER ENQUIRY OR UPON RECONSIDERATION OR APPEAL, REINSTATED, then the revising or appalent authority may grant to the officer, for the period of his absence from duty, (1) if the officer is honourably acquitted, an allowance equal to the full salary to which he would have been entitled if he had continued to held the appointment from which he was dismissed or suspended.

Therefore, in the circumstances explained above, I most humbly pray your honour to kindly consider the above facts favourably and to treat the suspension period of eleven months from 24-1-1951 to 24-12-1951 as on duty so that I may kindly be granted the salary due to me from the Mysore City Municipality

For which act of kindness I shallever remain grateful to you Sir

Sd/-C.B Channakeshava Chary
Senior Health Inspector,
Chickmagalur Secondary Centre

"C O P Y"

DIRECTOR OF PUBLIC HEALTH

GOVERNMENT OF MYSORE CH 3-52-46

General and Revenue Secretariat,

No L- 10609/ Bangalore, dated 6 ~~September~~ October 1952

~~NOTIFICATION~~

From

The Secretary to Government,
L.S.G. Department

To

The Municipal Commissioner,
Mysore City Municipality,
Mysore.
(through the President)

Sir,

Subject:- Sri C.B.Chennakeshavachari, Senior Health Inspector, who was kept under suspension.

With reference to your letter No.CS.C.287/50-51 dated the 5th January 1952, on the above subject, I am directed to state that as the official has been restored in full, leave at his credit may be granted for the period he was under suspension from 24th January 1951 to 24th December 1951 and the increments accruing to him in the grade may also be sanctioned.

Yours faithfully,

(Sd.)
(V. Hanumanthappa)
for Secretary to Government,
L.S.G. Department.

Memo No.L. 10610

Copy of the above is forwarded to the Director of Public Health in Mysore, Bangalore, for information, with reference to his letter No.C.r.4-1553 dated the 13th February 1952.

(Sd.)
(V. Hanumanthappa)
for Secretary to Government
L.S.G. Department.

Memo No.L. 10611-12

LMS.6.25/9. Copy of the above is forwarded to :-

(1) The Accountant-General, Mysore, Bangalore,
(2) " Controller, State Accounts Department,

for information.

V.Hanumanthappa 24/10

(V.Hanumanthappa)
for Secretary to Government,
L.S.G. Department.

No L 10609
6-10-52

7
6 Copies

To

The Municipal Commr
Mysore City Municipality
(Through the proper channel)

Sub Greet Sri C B Chennakesha-
vachar, Sinior Health Inspector
who was kept under Suspension

—

Sir

With Reference to your
Letter No C & E 287/50-51 dated
5-1-52 on the above Sub Greet,
I am directed to State that as
the official has been restored on full,
granted ~~Leave~~ for
Leave at his credit may be the period of his Suspension
from 24-1-51 to 24-12-51
and the increments accruing to
him on the grade may also be
Sanctioned

Yours faithfully
2319
Asst L S G Secy
Mag 22/9/52

Memo L 10610

Copy to
1) The D P H on Mysore B Core
for information with Reference to his
Letter No C E 4 - 1533 dated
13-2-1952

B.O
Asst L S G Secy
Mag 22/9

To Co Medical Branch L 10611-12 Mysore and the
~~Copy~~ to the Executive Officer S A D
for information

B.O
Asst L S G Secy
22/9

4/25/9/52

2005 L-21/5 5778/11

Petition dt 9/11/11 from Sri CB Channa-
Isavachary, Sr Health Inspector (under
suspension) forwarding enclosing
a copy of the letter addressed to the
Hon'ble requesting that he may
be restored to his original post
Perm dt 9/11/11 from Sri CB Channa-
Isavachary enclosing a copy of
the letter addressed to the Hon'ble
One enclosure

(1) Submitted. If approved, the letter and
original will be forwarded to the
Hon'ble for disposal.
CS CSO
GSO

17/11/11

(3) Submitted with enclosure as per standing
Instructions

14/11 (4) Done

14/11.

Personal Records dtd 16/11/11

CSO/5/11

2/5/11,

Representation dt 9/11/11 from
Sri CB Channaisavachary, Health
Inspector (under suspension) made
to the Hon'ble the Chief Minister
in the circumstances explained
that he may be restored to his
post

(2) This such representation

Representation of Sri GB Channakesavachary
Head Master (under suspension) 24/5/95
received from Sri GB Channakesavachary
have been sent to me Dept for Disc-
-ional

(b) In the present representation the grievance
represented is that the action taken by the
Municipal Commr before City in keeping
under suspension is not in order under
City Municipality Regulation whether the
action taken by the Mpl Commr is in order
or not may perhaps be got decided from the
Municipal Dr Department. The Municipal
Dr may also be consulted in this behalf

(c) Submitted for favour of further orders

Sri [illegible]
Yr

Dept Secy
(Edn)

Sri
8/5

MS
10/5

The main file has been
submitted vide D no 822/ml
on 10.5.95 and its return
will be awaited

Yes MS
12/5

Rec
12/5/95

770

D

Office of the
No T 280
Date 2/5/51

From -
To Commissary,
Senior health inspector, (under suspension),
[illegible], Bangalore.

The Hon'ble Minister for Public Health,
Government of Mysore, Bangalore

Sir,

Enclosed 3 Copies of
memos 1 2 3

Public [illegible] dated 15-1-51 enclosing the [illegible] dated 15-1-51 and subsequent [illegible] on 2-2-51, 20-2-51, 24-2-51 and 17-3-51 with reference to Memo No. [illegible] dated 27-1-51 from the Health Officer, City Municipal Council, Mysore regarding [illegible] from 24-1-51

[illegible] No. H/15/20-51 dated 15-2-51.

[illegible] No. H/15/20-51 dated 20-2-51

[illegible] letter dated 17-3-51 to the Director of Public Health against the above [illegible]

[illegible] dated 9-5-51, to the Director of Public Health through the Health Officer, City [illegible]

Memorandum

[illegible] entire [illegible] in no [illegible] from this by the [illegible] the liberty to [illegible] to the party. [illegible] withdrawn directly [illegible] suspension notice [illegible] 1474 of 50-51 dated 16-12-[illegible] above mentioned [illegible] served on 27-12-50 which was also signed by the same Health Officer [illegible] to the terms of the [illegible], instructions and orders were issued by the [illegible] party. The [illegible] were scrutinised by the Municipal Advocate as well as the Health Officer, City Municipal Council and [illegible] submitted to the

Representation of Sri GB Channakesavachary Head Master (under suspension) received from Sri GB Channakesavachary have been sent to the Dy Dir for Dis-posal

(6) In the present representation the general representation that the action taken by the Municipal Commr before City in respect under suspension is not in order under City Municipality Regulation whether the action taken by the Dy Commr is in order may perhaps be got verified from the Municipal Dr Dy. Dir and the Municipal Dr may be consulted in this behalf

(7) Submitted for formal further orders

for Dy Secy (Edn).

Sec Secy (Edn)

Sec
8/5

MS
10/5

The main file has been submitted vide D no 922/ml on 10.5.95 and its return will be awaited

Yes
12/5

Reg
12/5/95

Office of the [illegible]

No T220
Date 2/5/51

From [illegible]
Senior health inspector, (under suspension),
[illegible],

To

The Hon'ble Minister for Public Health,
Government of Mysore, Bangalore

Sir,

Sub:- [illegible] 15-1-51 [illegible]
[illegible] 11-1-51 and subsequent [illegible] 2-2-51, 20-2-51, 22-2-51 and 12-3-51 [illegible] Memo No H [illegible] 2/5 dated 27-1-51 from the Health Officer, City Municipal Council, Mysore [illegible] from 24-1-51

Enclosed 3 Copies of memos 1 2 3

[illegible] 15-1-51 to 15-1-51

[illegible] dated 27-1-51

[illegible] dated 15-1-51 to the Director of Public Health against the above [illegible]

[illegible] dated 7-2-51, to the Director of Public Health through the Health Officer, [illegible]

SECRETARY TO GOVERNMENT
3 MAY 1950
MEDICAL AND PUBLIC HEALTH DEPT

GENERAL & REVENUE SECRETARIAT
7 MAY 1951
MEDICAL BRANCH

Memorandum

[illegible] entire [illegible] in no [illegible] apart from this [illegible] the [illegible] to the party [illegible] of the [illegible] Section [illegible] 1471 of [illegible] dated 16-12-50 [illegible] notice was served on 24-12-50 which was also signed by the same Health Officer [illegible] to the terms of the above [illegible], there appears not to have been strictly the same [illegible] the property [illegible] the City Municipal Council [illegible] the Health Officer, City Municipal Council [illegible] has been duly submitted to the

municpal Commissioner on the Same date for kind Signature Then all others which were sent along with this were returned duly signed b not the two including this which were particulaly instructed and or to be prosecuted by the Health Officer. Those two charge sheets wer returned by the Municipal Commissioner with a slip to the Health Offi on 4-1-51 stating that "I shall be glad to speak to the Health Officer regarding these two cases" Then Health Officer after 2 or 3 days afte a personal discussion with the Municipal Commissioner returned both the charge sheets with oral instructions to recommend for issue of licenses It is a matter for your kind consideration that the above charge sheets were detained by the Municipal Commissioner and the Health Officer for nearly a week. Even then the charge sheets were not signed through they were correct as per rules as scrutinised by the Municipal Advocat on 2-1-51 Nor the reason for not signing the charge sheets were ord in writing either on paper or on charge sheets. Then when returned the Health Officer has not ordered in writing in both the cases even restore the license Under the circumstances explained above, it is clear that I am not responsible for withdrawal of the license or for launching the prosecution or for withdrawal since it was not signed, even for restoration Since at every step it is the instructions the orders of my superior. Then after every thing is said and don this false case is reported to have taken place within the office premises on 15-1-51 on which date I was arrested by the police W then I was allowed for duty for a period of 8 days and suspended fr 24-1-51 as per Memo No.HI P R 313/50-51 dated 23-1-51 from the Hea Officer, City Municipal Council, Mysore.

In this connection, I beg to bring to your kind notice th under section 248 of the City Municipality Regulation and Chapter 6 (a) & (b) of the Mysore City Municipality Rules and bye-laws, t powers of the Municipal Commissioner to punish, suspend or dismis to those whose pay is Rs.60/- and below Further his powers are ted to those to whom he is an appointing authority But in my c am only a lent official by the Department of Public Health bein appointed by the Director of Public Health in Mysore, Bangalore a direct subordinate to the Director of Public Health, who is t appointing authority. Apart from this my pay at present is Rs per month on which both the Health Officer and the Municipal Co

Commissioner, City Municipal Council have no vested powers to keep me under suspension under the above mentioned section and rules Therefore at the first place, the order itself is null and void since it has been passed without proper powers and secondly it is purely/arranged concocted case wherein I am not guilty. Lastly, the above order has not been passed immediately after the incidence But it has been passed after a week With all that too, I have handed over charge just to obey the orders of the immediate superior as a obedient subordinate to him Therefore there is much injustice is caused to me by such illegal suspension for more than 3 months and subsequently my representions are not favourably considered As a result of which neither I have been taken on duty nor the leave prayed for is granted On account of which I and my family people are made to starve in these hard days, for no fault of mine Further they have endorsed me stating that they have granted subsistence allowance through their memo No P A.415/5-51 dated 15-3-51 But even though it is 1½ months passed, they have not actually drawn even this. There is also an other incident as to how they are teasing me against rules and against their own orders By all these, I am unnecessarily been harassed and made to starve for a period of more than 3 months.

Under the circumstances I most humbly pray your honour, to kindly consider my case favourably and to order for restoration of my post at an early date, so that I may make my daily bread in these hard days.

For which act of your kindness and generosity, I shall ever remain grateful to you sir.

I beg to remain
Respected Sir,
Your most obedient servant,
T B Thamalidasa Chary
Senior Health Inspector

Mysore
1st May 1951

Copy of letter P

No. M.P.R.313/50-51

City Health Office,
Mysore, dated 23-1-1951

Office of the Chief M
No
Date

Reference:- 1. Report of the Inspector of Police, B Division that Sri C.B.Channakeshavacharya, Senior Health Inspector was caught red handed by the Sub Inspector of Police, while receiving illegal gratification

2. Memo No.2953 dated 22-1-51 from the Municipal Commissioner, ordering that the Senior Health Inspector, may be kept under suspension pending completion of the Investigation of the case

Memo

Sri.C.B.Channakeshavacharya, Sr Health Inspector is kept under suspension with effect from 24-1-51 until further orders. He is direc to hand over complete charge to Sri K.Mariappa, Jr.Health Inspector, Chamaraj III immediately and submit a charge list.

Copy to Sri.K.Mariappa, Jr Health Inspector with instructions to take charge immediately and report

Sd/- S.Seshagiri Rau,
Health Officer. 23-1-51.

"copy"

Copy of letter No. C8.C.287/50-51, dated, 12/3/51, from the Municipal Commissioner, Mysore, to the Health Officer, Mysore.

Ref: No. H.1 P.R.323/50-51, dated 26 Feb. 51 from the Health Officer, Mysore,. recommending for the grant of subsistence allowance to Sri. C.B.Channakeshavacharya Senior Health Inspector under suspension

Memo.

As recommended by the Health Officer a subsistence allowance (of one quarter of the pay permissible under Art 117 (A) M.S.R is granted to Sri. C.B.Channakeshavacharya, Senior Health Inspector, under suspension.

Memo No P.A.415/50-51

Date

Copy of the above is forwarded to Sri C,B.Channakeshavacharya, Senior Health Inspector, under suspension, for information

Sd. S.Seshagiri Rao,
Health Officer 15/3

"I"

No.H1-P.R.313/50-51.

City Health Office,
Mysore, Dated, 20th March '51.

ENDORSEMENT

With reference to his application dated, 2nd Feb. '51 requesting to take on duty, or to grant leave for one month from 24th Jan. 51 and further application 20 Feb, 51 requesting to take him on duty or to grant him another month's leave, Sri C.B Channakeshavachar is informed in continuation of this Office Memo No P A.415/50-51, dat 15 Mar 51 sanctioning him a subsistence allowance permissible, that he has been arrested by the Police on a serious allegation, that he cannot be taken on duty till the police investigation is completed and the result known and that the question of treating the period of his s pension will be decided after the case against him is disposed of.

Sd. S. Seshagiri Rao

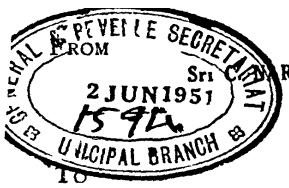
Health Officer. 20/3/51

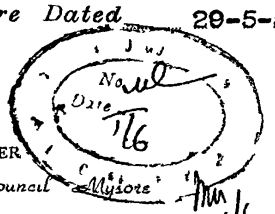
'Copy

No C8.C 287/50-51.
Encls

CITY MUNICIPAL COUNCIL

Mysore Dated 29-5-51.





FROM Sri C. NARASIMHA MOORTY M A
MUNICIPAL COMMISSIONER
City Municipal Council Mysore

1/6 MS 2/6

TO

Sri M.S.Swaminathan, M.A., B.Sc.,
Secretary to Government, L.S.G Department,
Bangalore.

Through the President, C.M.C. Mysore)

Sir,

Subject - Corruption - Senior Health Inspector of the Mysore City Municipality.

In continuation of this office letter of even number dated 14th May 51 on the above subject, I write to state that the District Superintendent of Police Mysore District has intimated that a reference has been made to the District Magistrate, Mysore requesting to obtain sanction of Government to prosecute the accused and the same is pending.

Yours faithfully,

Municipal Commissioner 30/5/51

Forwarded with compliments.

T Narasimha Iyengar
President.

[F 74]

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record]

WD 010851—GPB—20 000—5 8 50

Subbs

The treatment sheet bearing Diary no 1235 has been dated 23 5 51 and the file is with the L S & Secy It will be available

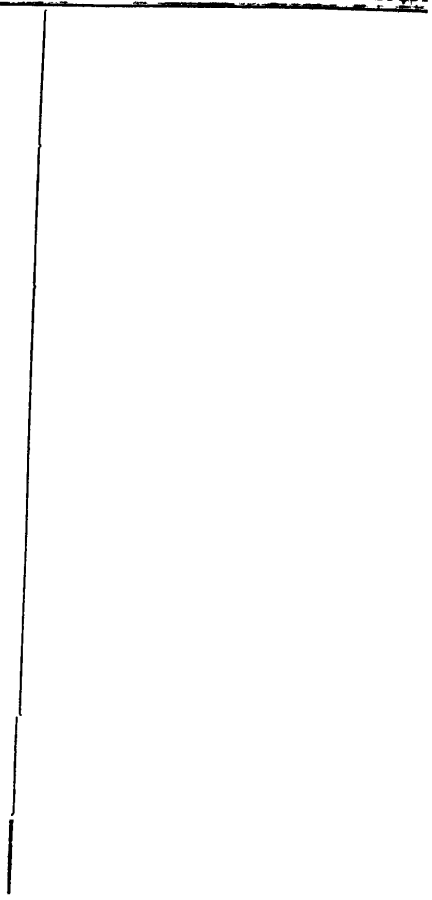
Yes MS 6/6

DI 4/6

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

[redacted] be used only for notes, requisitions, etc., not intended for perma...

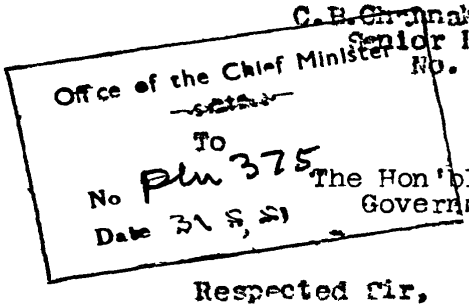
WD 010851



L — Shou'd routine notes be written on small slips
he notes must be copied or slips pasted on this form

From:-

C.B.Chennakesava Chary,
Senior Health Inspector (under suspension)
No. 60, Model House, Rajaram Agrahar, Mysore.



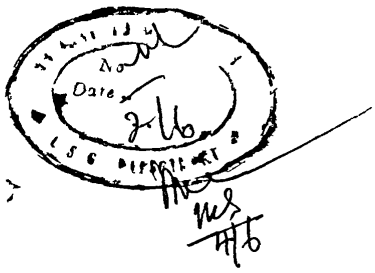
To

The Hon'ble Chief Minister,
Government of Mysore,
Bangalore

Respected Sir,

LSG Secy
B O
Hmo
1651
8-2-20 cm

Sub:- My report dated 16-1-1951 explaining the actual incident that took place on 15-1-1951 and subsequently on 2-2-51, 20-2-1951, 23-2-1951 and 13-3-1951 with reference to the Memo No H-1 P.P.313 of 50-51 dated 24-1-1951 from the Health Officer, City Municipal Council, Mysore keeping me under suspension from 24-1-1951.



2. Memo No.P.A 415 of 50-51 dated 15-3-51.

3. Memo No.H-1 P R 313 of 50-51 dated 20-3-51.

4. My appeal petition dated 17-3-51 to the Director of Public Health in Mysore Bangalore against the above two orders

5 Memorandum dated 8-4-51 to the Director of Public Health through the Health Officer City Municipal Council, Mysore

6 Memorandum dated 1st May 1951 addressed to you

For pleas

Second Memorandum.

In continuation of my memorandum, dated 1st May 1951 I once again beg to bring the following few lines to your kind consideration and favourable early orders. In the above connection, I beg to submit that the entire allegation is purely concocted and baseless as I am in no way responsible for the issue of license Apart from this by the time I took charge of the Chamaraja Mohalla, the license No.A.20-352/50-51 was already issued to the party. Just for the sake of this case the above license was withdrawn directly by the Health Officer as per his instruction notes of 8-12-50 through the endorsement No I.P.1474 of 50-51 dated 16-12-50 The above endorsement and a notice was served on 24-12-50 which was also signed by the same Health Officer Since he did not comply to

to the terms of the above two instructions and orders were passed by the Same Health Officer to prosecute the party. Then the charge sheets were scrutinised and signed by the Municipal Advocate as well as the Health Officer, City Municipal Council, on 2-1-51 which has been duly submitted to the Municipal Commissioner on the same date for kind signature. Then all others which were sent along with this were returned duly signed but not the two including this which were particularly instructed and ordered to be prosecuted by the Health Officer. Those two charge sheets were returned by the Municipal Commissioner with a slip to the Health Officer on 4-1-51 stating that " I shall be glad to speak with the Health Officer regarding these two cases. Then Health Officer after 2 or 3 days after a personal discussion with the Municipal Commissioner returned both the charge sheets with oral instructions to recommend for issue of licenses. It is a matter for your kind consideration that the above charge sheets were retained by the Municipal Commissioner and the Health Officer for nearly a week. Even then the charge sheets were not signed though they were correct as per rules as scrutinised by the Municipal Advocate on 2-1-51. Nor the reason for not signing the charge sheets were ordered in writing either on paper or on the charge sheets. Then when returned even the Health Officer has not ordered in writing in both the cases even to restore the license. Under the circumstances explained above, it is clear that I am not responsible for withdrawal of the license or for launching the prosecution or for withdrawal since it was not signed, or even for restoration. Since it every step it is the instructions and the orders of my superior. Then after every thing is vain and done this false case is reported to have taken place within the office premises on 15-1-51 on which date I was arrested by the Police. Even

Even then I was allowed for duty for a period of 8 days and suspended from 24-1-51 as per Memo No.Mi.P.P.317/50-51 dated 23-1-51 from the Health Officer, City Municipal Council Mysore.

In this connection, I beg to bring to your kind notice that under section 248 of the City Municipality Regulation and Chapter VI (a) and (b) of the Mysore City Municipality Rules and bye-laws, the powers of the Municipal Commissioner to punish, suspend or dismiss is limited to those whose pay is Rs.60/- and below. Further his powers are limited to those to whom he is an appointing authority. But in my case, I am only a lent official by the Department of Public Health being appointed by the Director of Public Health in Mysore, Bangalore, being a direct Subordinate to the Director of Public Health, who is the appointing authority. Apart from t is my pat at present is Rs.84/- per month on whom both the Health Officer and the Municipal Commissioner, City Municipal Council have no vested powers to keep me under suspension under the above mentioned sections and rules. Therefore at the first place, the order itself is null and void, since it has been passed without proper powers and secondly it is purely prearranged concocted case wherein I am not guilty. Lastly, the above order has not been passed immediately after the incidence. But it has been passed after a week. With all that too, I have handed over charge just to obey the orders of the immediate superior as an obedient subordinate to him. Therefore there is much injustice is caused to me by such illegal suspension for more than 4 months and subsequently my representions are not favourably considered. As a result of which neither I have been taken on duty nor the leave prayed for is granted On account of which I and my family people are made to starve in these hard days, for no fault of mine. Further they have endorsed me stating that they have granted subsistence allowance through their Memo No.P.A.415/50-51 dated 15-3-51

But even though it is 2½ months passed, they have not actually drawn even that. This is also an other incident as to how they are teasing me against rules and against their own orders. By all these, I am unnecessarily been harrassed and made to starve for a period of more than 4 months. In this connection I beg to bring to your kind notice that no prosecution has been launched heree hitherto.

Under these circumstances, I most humbly pray your honour to kindly consider my case favourably and to order for restoration of my post at an early date, so that I may eke my daily bread in these hard days

For which act of your kindness,and gererosity, I shall be ever remain grateful toyou sir.

I beg to remain,
Respected Sir,
Your most obedient servant,

T B Thamaiah at — a Chary

Senior Health Inspector.

Mysore
30th May 51.